

DRAFT
ENVIRONMENTAL IMPACT REPORT

for the

**LOWE'S HOME IMPROVEMENT WAREHOUSE,
COTTLE ROAD, SOUTH SAN JOSÉ
PLANNED DEVELOPMENT REZONING
File No. PDC02-086**

**Volume I of II
EIR Text**

**Prepared by the
City of San José**

August 2003

SCH No. 2002122091

August 6, 2003

Ladies and Gentlemen:

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR LOWE'S PLANNED DEVELOPMENT REZONING (FILE NO. PDC02-086; SCH # 2002122091).

The Planning Commission of the City of San Jose will hold a Public Hearing to consider the Draft Environmental Impact Report (DEIR) prepared for the project described below. A copy of the DEIR is attached for your review.

Your comments regarding the significant environmental effects of this project and the adequacy of the DEIR are welcome. **Written comments, submitted to the Department of Planning, Building and Code Enforcement by 5:00 p.m., September 24, 2003, will be included in the Final EIR and be considered by the Planning Commission at this public hearing.** *If you make comments through a state or regional clearinghouse, please send a copy of your comments to the contact person listed below to insure prompt consideration.* If we do not receive comments (or a request for an extension of time) from you by the specified date, we will assume you have none to make.

Project Description and Location: Planned Development Rezoning (File No. PDC02-086) from *IP Industrial Park Zoning District* to *IP(PD) Planned Development Zoning District* to allow the development of up to 222,673 square feet of commercial uses on an 18.75 gross acre site located on the southeast corner of Blossom Hill and Cottle Roads. The proposed development would be located in the northern portion of IBM's existing Cottle Road facility. The site is currently occupied by the vacant IBM Research Building 25 that is eligible for the *California Register of Historic Resources*. The proposed project would demolish IBM Research Building 25 and remove 156 ordinance-sized trees from the site.

Tentative Hearing Date: November 5, 2003

Council District: 2

Contact Person:

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801 N. First Street, Room 400
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Sincerely,

Ron Eddow

Ron Eddow, Senior Planner

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PREFACE

This document has been prepared by the City of San José as the Lead Agency in conformance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The purpose of this Environmental Impact Report (EIR) is to inform decision makers and the general public of the environmental effects of a proposed project. This document constitutes a project level of analysis.

The following guidelines are included in CEQA to clarify the role of an EIR:

§15121(a). Informational Document. An EIR is an informational document which will inform public agency decision makers and the public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR, along with other information which may be presented to the agency.

§15151. Standards for Adequacy of an EIR. An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently considers environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good-faith effort at full disclosure.

All documents referenced in this EIR are available for public review in the office of the City of San José Department of Planning, Building, and Code Enforcement, 801 North First Street, Room 400, San José, California, on weekdays during normal business hours.

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SUMMARY

The proposed project is the rezoning of the subject site from *IP Industrial Park* to *IP(PD) Planned Development* to allow the redevelopment of an 18.75-acre site located at the northwest corner of the former IBM Cottle Road campus for up to 221,673 square feet of commercial retail uses. Located on the east side of Cottle Road, north of Poughkeepsie Road, and south of the Monterey Road/Union Pacific Railroad corridor, the project would include an approximately 162,000 square-foot Lowe's Home Improvement Warehouse, along with 60,000 square feet of retail, including up to 7,000 square feet of restaurant use. The proposed project is located within the Edenvale Redevelopment Project area and is consistent with the site's General Plan designation of *Industrial Park* with *Mixed Industrial Overlay*.

The project will involve the demolition of three vacant research/office buildings on the site, the largest of which (IBM Advanced Research Building 025) has been determined to be historically significant. Building 025 qualifies as a Candidate City Landmark under the City's Historic Preservation Ordinance, and has been determined eligible for listing on the state and national registers. The project will also involve the removal of 365 trees from the site, of which 156 are ordinance-sized. A total of 89 trees will be preserved and incorporated into the project, including 54 ordinance-sized and 35 smaller trees. All 24 locally-endemic California native trees on the site will be retained in the project. There are no Heritage Trees on the site.

The following is a brief summary of project impacts and mitigation measures addressed in the main body of this EIR. The complete project description and discussion of impacts and mitigations is contained in the main text of the EIR.

ENVIRONMENTAL IMPACTS

MITIGATION MEASURES

Land Use Impacts

The project is adjacent to commercial and industrial uses, with a community center across Cottle Road to the west, and residential development across Blossom Hill Road to the northwest. The project would not result in a significant land use compatibility impact on nearby development.
(Less-than-Significant Impact)

No mitigation required.

Demolition, grading, and construction activity related to project development would generate noise and dust affecting adjacent land uses.
(Significant Impact)

Potential noise and dust impacts would be mitigated by measures identified under 'Noise' and 'Air Quality' below.
(Less-than-Significant Impact with Mitigation)

Land Use Impacts (Cont'd)

There are two existing high-pressure natural gas pipelines which run parallel to the north and east site boundaries. The proposed project is consistent with the City of San José requirement that only buildings having a “low-density occupancy load” be allowed within 250 feet of the edge of a pipeline right-of-way in order to minimize potential hazards. (The definition for “low-density occupancy load” buildings includes retail stores that are not part of a shopping mall.) (See EIR text for discussion.)

No mitigation required.

(Less-than-Significant Impact)

Geology, Soils, and Seismicity Impacts

The near surface soils of the site are moderately expansive. However, the project would avoid potential structural damage resulting from soils expansion by placing the buildings on engineered fill and by directing drainage away from building foundations.

No mitigation required.

(Less-than-Significant Impact)

The project is not subject to seismic hazards such as fault rupture, liquefaction, lateral spreading or differential compaction. The potential for impacts due to ground shaking will be minimized by constructing the project in accordance with the Uniform Building Code and San José Building Code requirements for Seismic Zone 4, and by following the recommendations of a geotechnical engineer with respect to site grading, site preparation, and foundation engineering.

No mitigation required.

(Less-than-Significant Impact)

Flooding, Drainage, and Water Quality Impacts

The project will increase the flow rate and volume of runoff generated at the site. However, the project storm drainage system will be designed to accommodate the increased runoff such that stormwater discharges will not exceed pre-development peak runoff rates, and will therefore not increase the potential for downstream flooding.

No mitigation required.

(Less-than-Significant Impact)

Flooding, Drainage, and Water Quality Impacts (Cont'd)

Site clearance, grading, and construction activities may result in erosion of exposed soils, resulting in potential sedimentation of downstream waterbodies with consequent impacts to aquatic habitats. Pollutants washed from construction equipment may also result in water quality impacts.
(Significant Impact)

The project will comply with the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity, as administered by the Regional Water Quality Control Board. Prior to construction grading for the project, the applicant will prepare a Storm Water Pollution Prevention Plan (SWPPP) which will be submitted to the City of San José Department of Environmental Services. The SWPPP will include measures such as soil stabilization practices, sediment control practices, sediment tracking control practices, wind erosion control practices, and disposal control practices.
(Less-than-Significant Impact with Mitigation)

After project completion, water quality impacts could result as hydrocarbons, heavy metals, trash, and sediment that accumulate on the paved surfaces are flushed into the storm drain system during rain storms.
(Significant Impact)

The project will include provision for post-construction structural controls where feasible, and shall employ Best Management Practices (BMPs) for reducing contamination in stormwater runoff as permanent features of the project. The project site plan includes vegetated swales along a portion of the site perimeter to filter a portion of site runoff, and a manufactured stormwater treatment unit to treat runoff from the remainder of the site prior to discharge into the City's storm drain system.

As part of the mitigation for post-construction runoff impacts addressed in the SWPPP, the project will implement regular maintenance activities (e.g., sweeping, cleaning storm drain inlets, litter control) at the site to prevent soil, grease, and litter from accumulating on the project site and contaminating surface runoff. Storm water catch basins will be stenciled to discourage illegal dumping.

(Less-than-Significant Impact with Mitigation)

Biological Resources Impacts

The project site consists entirely of developed/landscaped habitat which has limited value to wildlife. The redevelopment of the project site would not result in significant impacts to wildlife habitat.
(Less-than-Significant Impact)

No mitigation required.

Biological Resources Impacts (Cont'd)

There is no evidence of past or present use of the existing buildings or trees by roosting bat species of special status. However, should bat roosting occur in the buildings or trees prior to development, the demolition of buildings and removal of trees could result in harm or injury to bats.

(Significant Impact)

Implementation of the following measures will avoid harm to special-status bats which could be roosting on the site at the time of building demolition and tree removal:

- To prevent entry by bats into the existing buildings, all doors, windows, and exterior surfaces shall be maintained to remain intact and absent of openings.
- To avoid take of bats which could potentially be roosting under the wood shakes on the mansard roofs of Buildings 024 and 030, the mansard roofs shall be dismantled first, starting with the roof sections found to be in the best condition, and moving toward those sections with decayed and missing shakes where bats are most likely to be found. (The disturbance created by removing the roof sections least likely to contain roosting bats would cause any bats occupying the damaged roof sections to evacuate the roost.)
- To avoid potential take of bats during tree removal, the smaller trees surrounding the large trees shall be removed before the adjacent large trees where bats may be roosting. (The systematic removal of smaller trees would likely create enough disturbance to cause any bats occupying larger trees to evacuate any nearby roosts.) The smaller trees shall be removed no less than one day prior and no more than two days prior to removal of the larger adjacent trees. This will allow one nightly emergence period for the bats to abandon their roosts prior to removal of the larger trees. (The short period between removal of the smaller trees and the removal of the larger trees will minimize the likelihood of bats returning to the larger trees prior to removal.)

(Less-than-Significant Impact with Mitigation)

Biological Resources Impacts (Cont'd)

Although there are no burrowing owls or ground squirrel burrows currently on the site, there is a possibility that squirrel burrows could be established and colonized by burrowing owls prior to site development. If so, the project could result in impacts to burrowing owls.

Although no evidence of nesting raptors was found in any of the on-site trees, there is a potential that raptors could establish nests on-site prior to site development. If so, the project could result in impacts to nesting raptors.

(Significant Impact)

The implementation of the following measures will ensure that raptors (hawks and owls) are not disturbed during the breeding season:

- A qualified ornithologist shall conduct a pre-construction survey for nesting raptors (including both tree and ground nesting raptors) on-site no more than 30 days prior to the onset of ground disturbance. (Surveys for burrowing owls will consist of up to four pedestrian surveys of the site.)
- If nesting raptors are identified during the nesting season (1 February through 31 August) on or adjacent to the site, then the ornithologist will, in consultation with the California Department of Fish and Game, determine a ground disturbance-free setback zone around the nest (usually a minimum of 250 feet). The actual distance of the ground disturbance free zone will depend on the species, location of the nest, and local topography. This setback must be temporarily fenced, and construction equipment and workers shall not enter the enclosed setback area until the conclusion of the breeding season.

(Less-than-Significant Impact with Mitigation)

The project would result in the removal of 365 trees from the site, of which 156 are ordinance-sized. A total of 89 trees will be preserved and incorporated into the project, including 54 ordinance-sized and 35 smaller trees. All 24 locally-endemic California native trees on the site will be retained in the project. The project landscaping plan, which includes 197 trees, more than 1,000 shrubs, and various groundcovers, would partially compensate for the removal of existing trees.

(Significant Impact)

Trees removed from the site would be replaced in accordance with the City of San José tree replacement guidelines which require that each ordinance-sized tree removed shall be replaced by four 24-inch box specimen trees. The guidelines would require the planting of 624 replacement trees. The project landscape plan shows 197 trees to be planted on the site, in addition to the 89 existing trees to be retained. Due to space limitations in the proposed project site plan, the remaining 427 replacement trees would need to be planted off-site. The City staff has indicated that the City would be able to accept all of the off-site tree planting on City-owned lands, preferably along riparian open space areas in New Edenvale along the Hellyer Avenue Extension, as well as along roadway medians in the project vicinity. These mitigations would mitigate, in the long-term, for the significant loss of trees, as replacement trees reach maturity. However, these mitigation measures would not reduce the tree removal impacts of the project to less-than-significant levels in the near-term.

(Significant Impact with Mitigation)

Biological Resources Impacts (Cont'd)

Trees to be retained could be damaged during site development, and trees to be transplanted could be damaged as a result of improper care and handling.
(Significant Impact)

A number of measures are identified to reduce impacts to retained and transplanted trees (see EIR text for detailed mitigations).
(Less-than-Significant Impact with Mitigation)

Archaeological Resources

There are no known prehistoric or historic archaeological sites in or adjacent to the project site. However, there could be previously undiscovered archaeological deposits buried on the site which could be damaged or destroyed during site clearance, grading, or excavation activities associated with project development.
(Significant Impact)

In the event that either prehistoric or historic archaeological materials are exposed or discovered during site preparation or subsurface construction, operations within a 25-foot radius of the find shall be halted, until the find can be inspected by a qualified professional archaeologist. If the archaeologist concludes that the find may be of significance, a plan for evaluating the significance of the resource and recommending appropriate mitigation under the current CEQA Guidelines shall be prepared by the archaeologist and submitted to the Director Planning, Building and Code Enforcement. (See EIR text for further details.)
(Less-than-Significant Impact with Mitigation)

Historic Resources

The project site includes IBM Building 025 which has been determined to qualify as a Candidate City Landmark under the City's Historic Preservation Ordinance, and has been determined eligible for listing on the state and national registers. The proposed removal of Building 025 in conjunction with project development represents a substantial adverse change in the significance of this resource.
(Significant Impact)

While the project does not include retention of Building 025, several measures are proposed by the applicant to reduce the impact to this historic resource. These measures generally include: preservation of artwork, photo-documentation, reproduction of architectural drawings and historic photographs, facilitation of further historic research, incorporation of historic names in future development, creation of a public exhibit, and salvage of any historic features or materials. (See EIR text for detailed mitigations.)
(Significant Unmitigated Impact)

Visual/Aesthetic Resources Impacts

The removal of most of the densely planted trees along the project frontage would substantially alter the wooded park-like character of the site, which would represent a significant visual and aesthetic impact

(Significant Impact)

The project would be designed in conformance with the City's Commercial Design Guidelines and landscaping requirements, which would enhance the project aesthetics; however, since views of the site will be substantially different than current views of the site, the proposed project would result in a significant visual impact.

(Significant Unmitigated Impact)

Project lighting will be designed to avoid light spill and glare to off-site locations, in conformance with the City's Outdoor Lighting Policy. Therefore, the project would not result in impacts due to unnecessary illumination or glare.

(Less-than-Significant Impact)

No mitigation required.

Transportation Impacts

Traffic generated by the project will exacerbate unacceptable Level of Service F that will prevail under background conditions at the following two signalized intersections:

- US 101 northbound off-ramp/Coyote Road and Silver Creek Valley Road.
- US 101 southbound off-ramp and Blossom Hill Road.

(Significant Impact)

The following mitigation measures would restore intersection levels of service to background conditions or better:

- US 101 northbound off-ramp/Coyote Road and Silver Creek Valley Road - Addition of a third westbound through lane on Blossom Hill/Silver Creek Valley Road or addition of a second northbound right-turn lane on the off-ramp.
- US 101 southbound off-ramp and Blossom Hill Road - Addition of a third westbound through lane on Blossom Hill Road.

The Gateway improvements will not be constructed prior to likely completion and operation of the proposed project. An Area Development Policy for Edenvale provides for industrial development ahead of these gateway improvements. A proposed modification to the Development Policy to incorporate the economic development of the project site would provide for the project to conform to the General Plan Level of Service policy. The project would be required to pay its fair share toward Edenvale area traffic improvements.

(Less-than-Significant Impact with Mitigation)

ENVIRONMENTAL IMPACTS

MITIGATION MEASURES

Transportation Impacts (Cont'd)

The project would not result in significant site access, circulation, or parking impacts. The project would not adversely affect pedestrian or bicycle circulation or transit facilities in the area.
(Less-than-Significant Impact)

No mitigation required.

Air Quality Impacts

Construction and demolition activity associated with project development would potentially generate dust and exhaust, as well as organic gases from building materials.
(Significant Impact)

Mitigation includes a number of dust control measures to be employed in conjunction with demolition, grading, and construction activities. (See EIR text for detailed mitigation measures.)
(Less-than-Significant Impact with Mitigation)

Increased carbon monoxide concentrations resulting from project-generated traffic would not result in a significant local air quality impact.
(Less-than-Significant Impact)

No mitigation required.

Increased emissions of ozone precursors resulting from project-generated traffic would result in a significant impact upon regional air quality.
(Significant Unavoidable Impact)

Due to the nature of the project as a big-box retail operation, most standard Travel Demand Management (TDM) measures are not feasible. Employers can encourage some use of transportation alternatives by employees, but this represents a very small portion of overall project traffic generation, and would not reduce the impact to less-than-significant levels.
(Significant Unavoidable Impact)

Diesel emissions from the project's emergency standby generator would not result in a significant health risk to workers or residents in the vicinity.
(Less-than-Significant Impact)

No mitigation required.

Noise Impacts

Project buildings would not be exposed to interior noise levels exceeding the applicable standard of 45 dBA L_{dn} .
(Less-than-Significant Impact)

No mitigation required.

Noise Impacts (Cont'd)

Customer and truck traffic generated by the project would not result in a significant increase in noise levels on streets serving the project.

(Less-than-Significant Impact)

No mitigation required.

Noise sources on the project site would not result in a significant noise impact to surrounding land uses,

(Less-than-Significant Impact)

No mitigation required.

The emergency standby generator planned for the north side of the Lowe's center, which would be located at least 500 feet from the nearest residential development across Monterey Road to the northeast, would not result in a significant noise impact to surrounding land uses.

(Less-than-Significant Impact)

No mitigation required.

Construction and demolition activities associated with the project would not result in a significant noise impact to surrounding uses.

(Less-than-Significant Impact)

Although no mitigation measures are required, standard construction noise reduction measures are identified to minimize potential effects of construction noise on adjacent uses. (See EIR text for detailed measures.)

(Less-than-Significant Impact)

Hazards and Hazardous Materials Impacts

There is a partially-full diesel fuel tank on the site, and the existing on-site structures include asbestos-containing building materials, lead-based paint, mercury, and PCBs.

(Significant Impact)

Potential impacts associated with these hazardous materials will be avoided through compliance with applicable regulatory requirements for their proper removal and disposal prior to general demolition.

(Less-than-Significant Impact with Mitigation)

There is existing groundwater contamination beneath the site, and there are two formerly contaminated service station sites in the project vicinity. However, neither of these conditions poses a human health hazard to the project.

(Less-than-Significant Impact)

No mitigation required.

Hazardous materials used in the construction and operational phases of the project would not result in a significant impact since the project would comply with applicable state and local regulations designed to avoid such impacts.

(Less-than-Significant Impact)

No mitigation required.

Utilities and Service Systems

The project will install necessary utility connections and would not result in significant impacts to existing or planned utilities and service systems. Development of the project would not create the need for major new utilities or services infrastructure.

(Less-than-Significant Impact)

No mitigation required.

Energy Impacts

The project would use a typical amount of energy for this type of commercial project and would not result in inefficient or unnecessary use of energy,

(Less-than-Significant Impact)

No mitigation required.

Availability of Public Facilities and Services

The following discussion summarizes the effects of the project upon existing urban services. These effects are not environmental impacts, as defined by CEQA, but the information is presented here because it may be useful to the decision-making process for the project.

The project will result in increased demands for some urban services such as police and fire protection services. However, the increased demands will not result in the need for new or expanded facilities as a result of this project.

Cumulative Impacts

Based on the analysis in this EIR, and on information contained in other recent environmental documents (e.g., Edenvale Redevelopment Project EIR, Coyote Valley Research Park EIR), development of the project site along with the development of other approved and pending projects will have cumulatively significant impacts upon historic resources and regional air quality. While these cumulatively significant impacts can be partially mitigated at the project-specific levels, they cannot be reduced to less-than-significant levels. Therefore, the project will contribute to significant cumulative unmitigated/unavoidable impacts to historic resources and regional air quality.

SUMMARY OF ALTERNATIVES

CEQA requires that an EIR identify alternatives to a project as proposed. The CEQA Guidelines specify that the EIR identify alternatives which could attain most of the project objectives but avoid or reduce the significant effects of the project. As discussed in the main text of this EIR, the project would result in significant mitigated historic resources impacts, tree removal impacts, visual/aesthetic impacts, and air quality impacts. This EIR evaluates several alternatives which could avoid or reduce one or more of these significant impacts. It should be noted that the following is only a summary of the analysis and conclusions contained in full alternatives analysis presented in the body of this EIR.

A. NO PROJECT ALTERNATIVES

1. No Development Alternative

The No Development or ‘No Action’ Alternative consists of the project site remaining in its current state. The existing buildings, parking area, and trees would remain, but the site would be unused. (Although the existing buildings could be sold or leased for permitted land uses under the IP zoning, it was assumed for purposes of this analysis that the buildings would remain vacant in order to reflect existing conditions. The Economic Development Alternative below considers potential reuse of the project site under the existing zoning.) Since no traffic would be generated under this alternative, there would be no significant impacts to regional air quality as would result from the proposed project. The existing structures would not be removed, so the significant historic resource impacts that would occur with the removal of Building 025 under the proposed project would not occur under the No Development Alternative. The existing trees on the site would remain, so the unmitigated tree removal impacts, and the corresponding visual impacts associated with the proposed project would be avoided under this alternative. However, the No Build Alternative would not achieve any of the applicant’s project objectives, nor would it achieve the economic development objectives of the City of San José.

2. Economic Development Alternative

As an alternative to the Lowe’s project, the property could be developed for a range of land uses under the existing General Plan designation of *Industrial Park with Mixed Industrial Overlay*, including light industrial, research and development, and compatible commercial land uses such as big box retail, as well as public or quasi-public uses. For any of these uses, the development configuration would likely consist of low-profile buildings surrounded by landscaped parking lots.

Since these alternative land uses would not require high visibility from the street, as would be the case with retail development, the existing dense stands of trees along Cottle Road could be retained and incorporated into the development. This alternative would likely result in reduced tree removal impacts and less-than-significant visual impacts than would result from the proposed project. The traffic generation associated with any of these land uses would likely be lower than the proposed big box retail development, so this alternative would likely avoid the significant regional air quality impacts associated with the proposed project. The impacts to historic resources under this alternative could be significant or less-than-significant depending on whether the existing Building 025 would be incorporated into such a project.

In summary, the Economic Development Alternative would avoid the significant air quality and visual impacts associated with the proposed project, and could also reduce significant loss of trees, and would avoid significant historic impacts if Building 025 were preserved and reused without

adverse affects to its historic setting. As such, this alternative would be environmentally superior to the project as proposed. However, it would not meet the objectives of the project applicant to develop the site for a home improvement warehouse, although it could meet the City's objective for economic development and jobs at this location.

B. HISTORIC PRESERVATION ALTERNATIVES

This section presents and evaluates project alternatives which would be hypothetically capable of incorporating Building 025 into a development program for the site. These include: 1) Reuse of Building 025 for the proposed Lowe's center; and 2) Project Design Alternative (reconfiguration of the site plan to accommodate all or part of both Building 025 and the Lowe's center). Each of these alternatives is addressed in turn below.

1. Reuse of Building 025 for Lowe's Center

This alternative would consist of using the existing facilities in approximately their current configuration. This scenario would reflect retention of Building 025, with its surrounding landscaping and parking lot. In order to retain the building within its historic campus setting, little or no removal of landscaping and no additional construction was assumed. This alternative would attempt to meet the goal of historic preservation while also attempting to meet the applicant's project objective of using the site for a Lowe's center.

By preserving the building within its campus setting, this alternative would avoid the significant impacts to historic resources that would result from the proposed project, as well as the substantial tree removal and associated visual impacts. In addition, since this alternative would include a much reduced Lowe's warehouse and likely would not include the Phase 2 retail proposed for the project, the corresponding reduction in traffic would reduce regional air emissions to less-than-significant levels. (The total daily trip generation would be about one-fourth that of the proposed project, which would result in project emissions of regional pollutants falling well below the Air District's significance thresholds.) Therefore, the alternative project configuration would result in a less-than-significant impact to regional air quality, and would thereby avoid the significant unmitigable air quality impacts associated with the project.

The feasibility of reusing Building 025 for the Lowe's center was evaluated by the historical architectural firm Thomas Hardy, AIA. The evaluation report is contained in Appendix E, and its findings with respect to this alternative are summarized below.

A Lowe's Home Improvement Warehouse requires a large open floor space, tall floor-to-ceiling height, and a rectangular configuration to function most efficiently. The open stock includes large quantities of bulky and heavy building materials, tools, and other products. This inventory is delivered via large truck deliveries to the rear loading docks and then stockpiled and distributed throughout the store with a forklift to racking units that reach as high as 22 feet. The layout must be simple and rectangular in shape for efficient circulation and layout of display and storage units. The recurrent narrow wings and spine configuration of Building 025 is not compatible with these functional needs (see Figure 12).

Lowe's requires a clear vertical height of at least 22 feet to provide the height necessary for efficient stocking and display of their products, resulting in a typical building height of about 28 feet (the remaining six feet consist of roof joists, parapets, and roof slope for drainage). The 10'-4" ceilings in Building 025 would not meet that height requirement.

The scale of a Lowe's retail operation greatly exceeds the available capacity of Building 025. The 69,000 square feet of usable floor area available in Building 025 is substantially less than the 162,000 square feet required by Lowe's to hold their inventory and offer a customer-friendly shopping environment. Lowe's cannot significantly scale-down its program requirements without placing it at a competitive disadvantage with other, similar retail businesses. It would be unable to satisfy the needs of its customers with such a large reduction in inventory and service.

A Lowe's warehouse requires a durable and high strength concrete floor slab (at least 6-inches thick) that will support forklifts, heavy equipment, and large quantities of heavy building products stacked up to 22 feet high. The floor structure of Building 025 is a concrete slab spanning over a mechanical basement level. The floor was designed for light live loads of company personnel and small equipment, and would be structurally inadequate for Lowe's purposes.

In summary, this alternative would avoid the significant unmitigated historic impacts, tree removal impacts, visual impacts, and air quality impacts associated with the proposed project. Thus this alternative would be environmentally superior to the project as proposed. However, as discussed below, this alternative would not meet the applicant's objectives for the project as outlined in Chapter I of this EIR. In particular, this alternative would not meet the applicant's project objective of constructing the warehouse as a large rectangular space.

2. Project Design Alternative

This alternative consists of a reconfigured site plan which would accommodate all of both Building 025 and the proposed Lowe's project, in an effort to substantially meet the project objectives as well as the goal of preserving the historically significant building. A site plan for the Project Design Alternative is shown in Figure 13. The first objective of the plan is to preserve Building 025 and its immediately surrounding landscaping. The remaining areas in the northern and northeast portions of the site were allocated for the Lowe's warehouse. Due to the space limitations, the warehouse was designed as a two-story structure, with a single-story garden center, and a single-level parking structure over at-grade parking. The resulting warehouse height would be about 60 feet, with the parking structure about 14 feet high, and the elevator/stairway shaft for the parking structure rising to about 22 feet. (Since a building height of over 50 feet would require a General Plan amendment, it was assumed for purposes of this analysis that a 50-foot warehouse could be designed.) The alternative site plan reflects the full square footage and parking supply of the Lowe's warehouse as proposed by the applicant, and includes sufficient circulation area for customer vehicles, delivery trucks, and pedestrian movement.

It was assumed for purposes of this alternative that Building 025 would be reused as office/R&D. All of the existing landscaping along Cottle Road and many of the existing trees along Concord Drive and Poughkeepsie Road would be preserved (over 300 of the 454 existing trees would be preserved under this alternative). In addition, the alternative site plan includes a dense stand of landscape trees to provide visual screening and separation between the Lowe's facility and Building 025.

In terms of avoiding impacts to the historic resource of Building 025, the Project Design Alternative would preserve the building and its immediately surrounding landscaping, including almost all of the mature trees along the Cottle Road frontage. Thus this alternative configuration would avoid direct impacts to Building 025, and would retain approximately one-half of the original site, including a substantial portion of its original setting. However, this alternative would have a somewhat negative impact on the historic setting of the site because part of the significance of Building 025 is its configuration or footprint and its landscape and setting. The City believes that despite the change to the setting associated with this alternative, the historic appearance of Building

025 and its setting is still recognizable, and the building is able to convey its historic significance. Most of Building 025's character-defining features remain intact, and the building itself remains in its original location, and is retained in full without alteration. In addition, about half of the original 18-acre site and the immediate setting of the building are retained, as is approximately 65 to 70 percent of the current tree inventory. In summary, given the degree to which the Project Design Alternative preserves Building 025 and its site in a manner that allows the property to continue to convey its historic significance, this alternative avoids significant adverse impacts to historic resources.

Although the project design alternative would not completely avoid negative impacts to historic resources, those impacts would not be considered to be significant impacts under CEQA. The project design alternative would not result in significant regional air quality impacts as would result from the proposed project. This alternative would also result in substantially less removal of existing on-site trees than the proposed project, thereby reducing the impacts to biotic resources due to loss of trees, which in turn would avoid significant unmitigated impacts to visual resources.

In summary, the project design alternative would avoid significant impacts to historic resources, regional air quality, and visual/aesthetic resources. Therefore, this alternative represents an environmentally superior alternative to the project as proposed. However, this alternative would not meet the applicant's objectives for the project as outlined in Chapter I of this EIR. In particular, this alternative would not meet the applicant's project objective of constructing a single-story warehouse configured as a large rectangular space for maximum efficiency.

Additional configurations were also considered in the analysis which appears in full in the main body of the EIR. This analysis does not develop full project alternatives but briefly considers alternative building configurations to the one developed under the Project Design Alternative. These include alternative configurations for Lowe's; full retention of Building 025 with a Reduced-Scale Lowe's; and partial removal of Building 025 with full-scale Lowe's. The EIR analysis concluded that none of these alternative configurations could meet the applicant's project objectives while meeting the goal of avoiding impacts to Building 025. (See Section V. *Alternatives to the Proposed Project* for a full discussion.)

3. Alternative Uses For Building 025

The feasibility of using the building for some land use other than the Lowe's center was evaluated, irrespective of whether the alternative land use could meet the applicant's project objectives. The land uses considered in the analysis were confined to those that are allowed under the current General Plan designation, including light industrial, research and development, as well as public or quasi-public uses such as schools and community centers.

These alternative land uses are discussed in turn below. This discussion does not consider the possibility of adding buildings to the site, although such additions are possible provided they could meet City standards such as minimum parking requirements. However, the construction of additional buildings on the site could have an adverse effect on the historic setting of Building 025, as discussed under "Project Design Alternative" above.

Light Industrial

Building 025 was not designed for manufacturing or assembly use. According to a representative from IBM, Building 025 is unsuitable for such use because of low clearance heights, low floor

loading capacity, inadequate power and HVAC (heating, ventilation, and air conditioning), lack of loading docks, and inappropriate and inflexible building configuration (Nemson, pers. comm.).

Office/R&D

The interior of Building 025 is an office configuration typical of the 1950s, with private offices separated by permanent partition walls extending from floor to ceiling. Current requirements for office space typically include a large open floor plan where individual work areas or cubicles can be created by movable partitions. This provides the flexibility to reconfigure office layouts as needed over time, and also to expand and contract operations with fluctuations in staffing levels. In order to meet these modern office design requirements, the interior of Building 025 would likely need to be remodeled, including the installation of modern telecommunications, heating and cooling, and electrical systems. Along with these functional renovations, it is also likely that other conditions would need to be addressed, such as hazardous building materials to be remediated, and required building code, fire code, ADA, and seismic upgrades (with the latter required if improvement costs exceed \$200,000). Given the cost of making these improvements, the economic rents required would be on par with rents currently available in a new office building (Brand, pers. comm.). However, if Building 025 were renovated as an historic structure, some cost savings would be available through relaxed code requirements under the State Historic Building Code (SHBC), as well as other available incentives (see the report by Thomas Hardy and Bruce Anderson in Appendix E of this EIR for detailed discussion of the SHBC and available incentives and programs.) Under current market conditions, where there is over 50 million square feet of office space available at competitive lease rates, the ability to lease Building 025 for office space would likely depend on whether a potential tenant would be attracted to the building for its intrinsic value, and on whether the building owner would be willing to risk making the needed interior renovations on the assumption that such a tenant can be found.

School/Community College

To investigate the possibility of reusing the site for a school or a community college campus, the Oak Grove School District, the East Side Union High School District, and the San José/Evergreen Community College District were contacted.

The Oak Grove School District representative indicated that the District has no need for or interest in acquiring additional school sites, and in fact has recently closed two existing elementary schools. In addition, he indicated that the Field Act requires that existing buildings be upgraded to meet current seismic and handicap access requirements and that any hazardous building materials be abated. This would add to the cost of bringing the building to an acceptable condition for School District use. Until recently, the building may have been an attractive site for a charter school, but they are now also required to comply with the Field Act (Childers, pers. comm.).

The East Side Union High School District indicated that it just opened a new 260,000 square-foot high school in Evergreen, and has no need for an additional campus at this time. Moreover, the 90,000 square feet of existing space (including Buildings 024, 025, and 030) would be far too small for a modern high school. It could be usable as school administrative offices, but again the Field Act requirements would make this infeasible for the school district (Willet, pers. comm.).

The representative of the Community College District indicated that their building program is confined to the existing two colleges (City College of San José and Evergreen Valley College). The District has no plans for expansion under the current budgetary environment, and long-range plans for the District do not include any intention to establish additional campuses beyond the two in operation (Rodriguez, pers. comm.).

There is a potential that Building 025 could be used as the campus for a private elementary or high school. These might include a religious school, a Montessori school, a Waldorf school, a Challenger school, or other private school. There is no specific information available as to which private schools might have an interest in occupying Building 025.

It is also possible that a private vocational school may wish to locate a campus at Building 025, although no specific information was available as to which vocational schools might have an interest in occupying Building 025.

Park/Community Center

The City of San José Department of Parks, Recreation and Neighborhood Services was contacted to investigate the possibility of reusing the site for a public park and/or community center. The parks planner indicated that the Department is always interested in opportunities to obtain new sites for parks and community centers, but it is very difficult for the Department to undertake acquisitions through direct purchase due to funding constraints. He did note that the Department has been very successful in obtaining new parks in South San José through the City's Parkland Dedication Ordinance in conjunction with new residential development. However, since the ordinance does not apply to new commercial development, there would be no requirement that the proposed project include a park component or the payment of fees in lieu of dedication. Given the current tight budget conditions, it would not be feasible for the City to purchase all or part of the site for parkland or community center use (Brown, pers. comm.).

It is also possible that Building 025 may be usable as a private community center or social club, although there is no specific information available as to which organizations which might be interested in occupying Building 025.

C. TREE REMOVAL AND VISUAL MITIGATION ALTERNATIVE

The objective of this alternative is to lessen the tree removal proposed in the project to less-than-significant levels and thereby also avoid the significant visual impacts associated with the proposed tree removal. An additional 74 trees would be retained under this alternative, which combined with the 89 trees to be retained in the proposed project, would increase the total project tree retention to 163 trees of the 454 trees on the site (see Figure 14 for tree retention assumed under this alternative). At least 71 of the parking stalls in the proposed project would be lost under this alternative.

Under this alternative, the project site would retain much of its wooded park-like character, although there would be glimpses of the big box and ancillary retail in the site interior. Since the visual character conveyed by the dense row of mature trees along the site frontages would not be substantially altered, this alternative would not result in a significant visual or aesthetic impact.

From a tree-removal standpoint, 291 existing trees would still be removed under this alternative, including 132 ordinance-sized trees and 159 non-ordinance-sized trees. The removal of the ordinance-sized trees would be mitigated in the long-term through replacement planting pursuant to the City's Tree Removal Permit Ordinance and replacement guidelines, with much of that replacement planting occurring both on- and off-site, as in the proposed project. The removal of the 159 non-ordinance-sized trees would be somewhat offset by the planting of numerous shrubs and groundcovers in the site interior as proposed in the project landscape plan. Although this alternative would reduce the significant impact due to the loss of trees associated with the proposed project, it would not reduce that impact to less-than-significant levels in the near-term.

In summary, the number and location of trees retained under this alternative would serve to reduce the significant visual and aesthetic impacts associated with the proposed project tree removal to less-than-significant levels. However, the overall numbers of trees removed under this alternative would not be fully mitigated in the near-term through replacement planting and thus would not reduce the tree removal impacts of the proposed project to less-than-significant levels.

While this alternative is environmentally superior to the proposed project, it was not selected because it does not meet some of the applicant's objectives for the project. The removal of at least 71 parking spaces would reduce Lowe's total parking count from 541 spaces to 470 spaces, which is well below the applicant's objective of 525 spaces for the project, as stated in Chapter I. (Although there are a total of 855 parking spaces proposed for Phases I and II of the project, the 314 spaces planned to serve the ancillary retail in Phase II cannot be reduced without violating the City's parking requirements for those uses. Since there is some flexibility in the number of parking spaces required for Lowe's, it is assumed that all of the lost parking spaces would come from the 541 stalls allocated to Lowe's.) The retention of much of the densely-spaced line of trees along the Cottle Road project frontage, as well as retention of a substantial number of mature trees throughout the parking area, would not meet the applicant's project objective of high visibility along a major street frontage.

D. ALTERNATIVE PROJECT LOCATION

To fulfill the CEQA requirement of evaluating an alternative project location for the project, an alternative site was identified which meets the minimum site size and locational requirements for the project, and which has a General Plan designation which would allow the proposed use.

The selected alternative site is located in the northeasterly quadrant of State Route 85 and Almaden Expressway (see Figure 15), which is located four miles west of the proposed project site. This approximately 44-acre site consists of fallow agricultural land which is bordered on the northeast by the Guadalupe River. The site is occupied by a group of buildings consisting of two houses, several agricultural outbuildings, and a fruit stand in the southwest corner along Almaden Expressway. These buildings are not historically significant. There are approximately 33 trees on the site as well as riparian vegetation associated with the Guadalupe River. Urban services and utilities are available with sufficient capacity to serve development of the site for the planned uses. The site is traversed by the planned alignments of Sanchez Drive, which might need to be constructed in conjunction with the development of a Lowe's warehouse at this site. A rezoning of the site would also be required to accommodate the Lowe's development.

As discussed in the main body of the EIR, development of the project at the alternative site would avoid or lessen the historic resources impacts, tree removal impacts, and visual impacts that would occur at the proposed project site, but would not avoid the significant air quality impacts resulting from the project. In addition, the traffic impacts from this alternative would likely be significant. Nevertheless, the alternative site would be environmentally superior to the proposed project site. However, the alternative project site would not meet the applicant's objective of locating the project within its defined trade area for southeast San José. The alternative site lies just outside the northwest corner of the defined trade area (see Section *I. D. Project Objectives*), and this site is poorly situated to serve the targeted trade area which extends south to Morgan Hill. Therefore, this alternative site would not meet the applicant's objectives for the project.

E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. Based on the above discussion, the environmentally superior alternative is the No Project - 'No Development' Alternative, because it would completely avoid all of the significant impacts associated with the proposed

project. However, Section 15126(d)(4) states that “[i]f the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.”

After the No Project alternative, the next environmentally superior alternative would be the Project Design Alternative because it would avoid or substantially lessen the project’s significant historic resource impacts, tree removal impacts, visual impacts, and air quality impacts. (The Economic Development Alternative also qualifies as an environmentally superior alternative, although not to the same degree as the Project Design Alternative.)

However, as discussed above, this alternative would not meet the applicant’s objectives for the project. In particular, this alternative would not meet the applicant’s project objective of constructing a single-story warehouse configured as a large rectangular space. From a functional standpoint, the two-story alternative would not meet Lowe’s standards for an efficient and convenient store configuration. The project applicant desires the layout of the store to be on a single level, simple and rectangular in shape for efficient circulation and layout of display and storage units. Due to the bulk and mass of materials sold, the two-story alternative could make carrying items between floors cumbersome and inconvenient. In addition, the necessity of parking in a structure would add further difficulty and inconvenience to carrying large items. Since there are home improvement warehouses in the local area which do not present these difficulties, customers could choose the more convenient alternative, placing Lowe’s at a competitive disadvantage in the marketplace.

KNOWN VIEWS OF LOCAL GROUPS AND AREAS OF CONTROVERSY

A Notice of Preparation (NOP) for this EIR was distributed to state, regional and local agencies on December 20, 2002. The areas of concern noted in the response letters, contained in Appendix J, included the following:

- Traffic impacts.
- Pedestrian access to transit facilities.
- Drainage and flooding impacts.

A community meeting to discuss the proposed project with neighbors and other concerned citizens was held at the Southside Community and Senior Center on February 19, 2003. The environmental concerns raised and suggestions made at the community meeting included the following:

- Traffic generation and impact on local street system/cut-through traffic.
- Frequency of truck deliveries, and truck routes.
- Traffic safety issues resulting from increased project traffic on the Blossom Hill Road westbound off-ramp at Hayes Avenue.
- Consideration of alternative land uses which would generate less traffic, such as a park, community college, or a community center.
- Trees to be removed.
- Potential impacts to community center across Cottle Road, including effects upon the preschool at the center.
- Potential impacts to wildlife.
- Impacts to IBM Building 025, and need for full exploration of alternatives to avoid or mitigate impacts to this significant historic resource.
- Project signage.

Based on the input received, it appears that the issues with the greatest potential to become controversial are the potential traffic impacts of the project, impacts to historic resources resulting from the proposed demolition of IBM Building 025, and the removal of a significant number of trees.

I. DESCRIPTION OF THE PROPOSED PROJECT

A. OVERVIEW OF THE PROJECT

The proposed project is the redevelopment of an 18.75-acre site located in the Edenvale Redevelopment Area of South San José, southeast of Blossom Hill Road and southwest of the Monterey Road/Union Pacific Railroad corridor (see Figures 1 and 2). Situated on the east side of Cottle Road, north of Poughkeepsie Road, the site is currently occupied by three vacant research/office buildings in the northern portion of the former IBM Cottle Road campus (see Figures 3 and 4). The largest of the former research buildings on the site (Advanced Research Building 025) has been determined to be eligible for listing on the *California Register of Historical Resources* (see Section II. F. *Historic Resources*.)

The proposed project would rezone the parcel from *IP Industrial Park* Zoning District to *IP(PD) Planned Development* Zoning District to allow the development of up to 221,673 square feet of commercial uses (see Figures 5 and 6). The project would be developed in two phases, with the first phase consisting of an approximately 162,000 square-foot Lowe's Home Improvement Warehouse, including approximately 135,000 square feet of retail/warehouse space and a 27,000 square-foot garden center. The second phase of the project would include approximately 60,000 square feet of other retail, including up to 7,000 square feet of restaurant uses. The project will involve the demolition of the three existing vacant research/office buildings (approximately 90,000 square feet in total), one of which qualifies as a Candidate City Historic Landmark. The project also involves the removal of 365 of the 454 trees on the site, including 156 of the 210 ordinance-sized trees on the site. All 24 locally-endemic native trees on the site will be preserved and incorporated into the project landscape plan, along with 49 non-native ordinance-sized trees and 16 smaller trees (see Figure 7A).

The applicant proposes to retain the base zoning district of IP Industrial Park. This would maintain the currently existing zoning district which conforms to the site's General Plan Land Use/Transportation diagram designation of *Industrial Park* and would continue to allow industrial park, research and development and light industrial uses as identified in the Zoning Code. In the event that the proposed Planned Development rezoning is approved, but a Planned Development permit never approved on the site for Lowe's or other home improvement warehouse, a subsequent application for a Site Development or Conditional Use Permit could be made on this site for an enumerated use in the IP Industrial Park zoning district. This Environmental Impact Report **does not** provide the project environmental clearance for these potential development applications under the IP zoning district, and additional environmental analysis would be required for all such proposals. Specifically, the building footprint, square footage, and parking requirements described in this EIR and as shown in the proposed conceptual site plan are requirements of the proposed home improvement warehouse use, and the EIR conclusions related to project impacts and alternatives is relevant only for that proposed project.

B. PROJECT LOCATION

The project site is located on the east side of Cottle Road, and is bounded on the south by Poughkeepsie Road, on the southwest by Boulder Boulevard, and on the northeast by the Monterey Road/Union Pacific Railroad corridor (Assessor's Parcel No. 706-06-015 [portion]). The project site is located in the southwestern portion of the Edenvale Redevelopment Area. Until recently, the 18.75-acre site formed the northernmost portion of the approximately 325-acre IBM Cottle Road campus, which encompassed the lands bounded by Cottle Road on the west, State Route 85 on the south, and the Monterey Road/Union Pacific Railroad corridor on the northeast. With the exception of the project site, the ownership of all these lands and facilities was transferred by IBM to Hitachi Corp. in January 2003. (Hereinafter, the facility is referred to as the Hitachi campus.)

C. DESCRIPTION OF THE PROJECT

1. Description of Uses and Development

Project development is proposed to occur in two phases. The first phase would include the Lowe's Improvement Warehouse (including an outdoor garden center) on approximately 12.0 acres, and the second phase would consist of the various other retail uses on the remaining 6.75 acres (see Figures 5 through 8). While the specific retail users for Phase 2 have not been identified, the types of retail uses envisioned include sales and service, including financial services, and restaurant use, as allowed as support commercial within the Industrial Park zoning and land use designations. No more than 7,000 square feet would consist of restaurant use.

2. Buildings, Landscaping and Parking

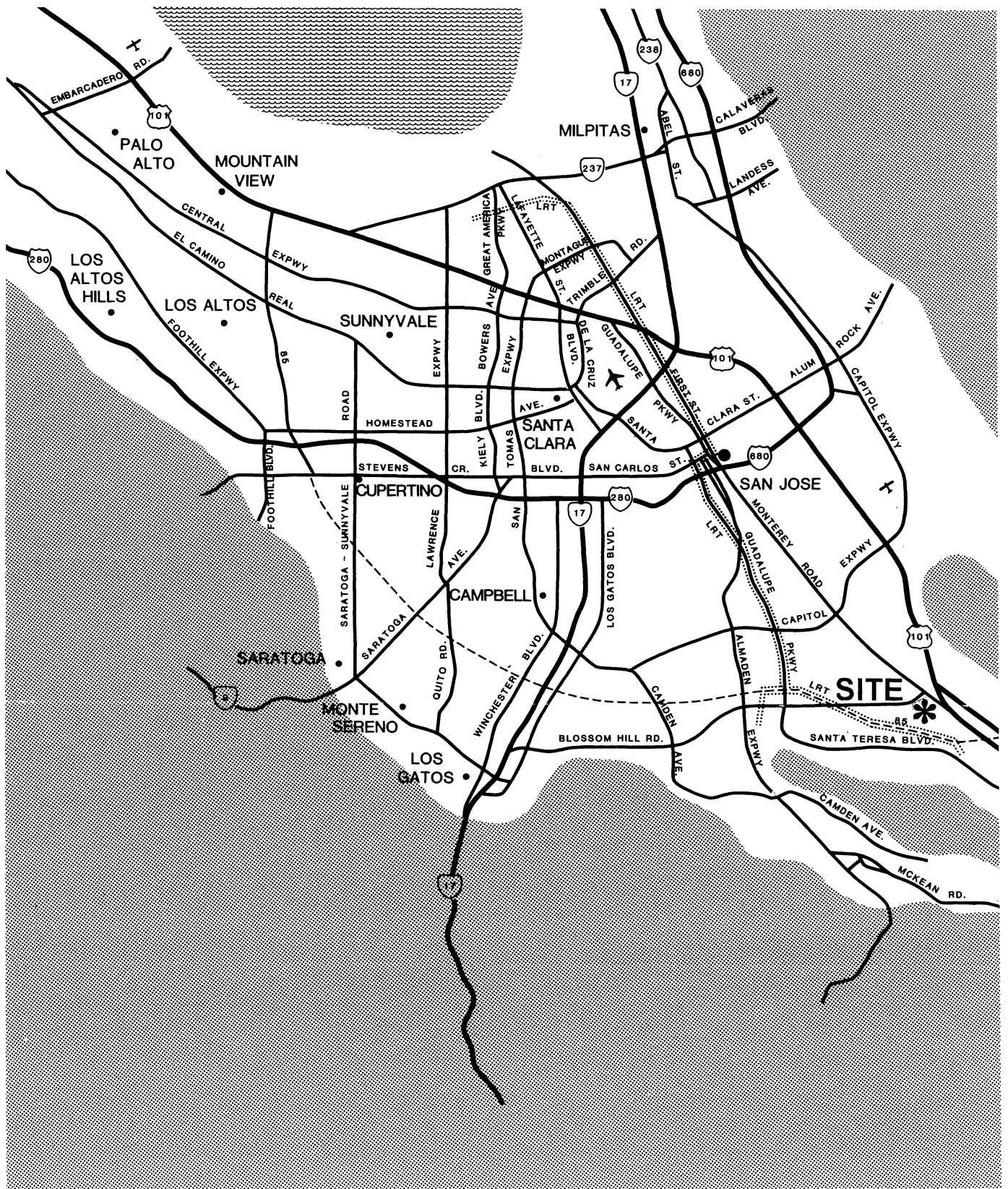
In Phase 1, the Lowe's center would include a 134,574 square-foot warehouse building with an attached 27,099 square-foot garden center on the north side of the building (see Figure 6). The Lowe's building is proposed to consist of tilt-up construction with slab-on-grade concrete floors, with architectural treatment to ensure compatibility with the adjacent industrial park land uses (see Figure 8). The garden center would be enclosed with tubular steel fencing (not chain-link fence). Phase 2 would include 60,000 square feet of retail divided into four separate spaces, two of which would be attached to the Lowe's center and two of which would be free-standing buildings. Up to 7,000 square feet would be for restaurant uses. The calculated site areas devoted to buildings, landscaping, and parking and internal circulation for the project are shown in Table 1.

TABLE 1
SITE UTILIZATION

Use	Square Footage	Acreage	Site Coverage (% of Total)
Lowe's (incl. Garden Center)	161,673 s.f.	3.71 ac.	19.8%
Other Retail	60,000 s.f.	1.38 ac.	7.4%
Landscaping	129,994 s.f.	2.98 ac.	15.9%
Parking and Circulation	465,083 s.f.	10.68 ac.	56.9%
Totals	816,750 s.f.	18.75 ac.	100.0%

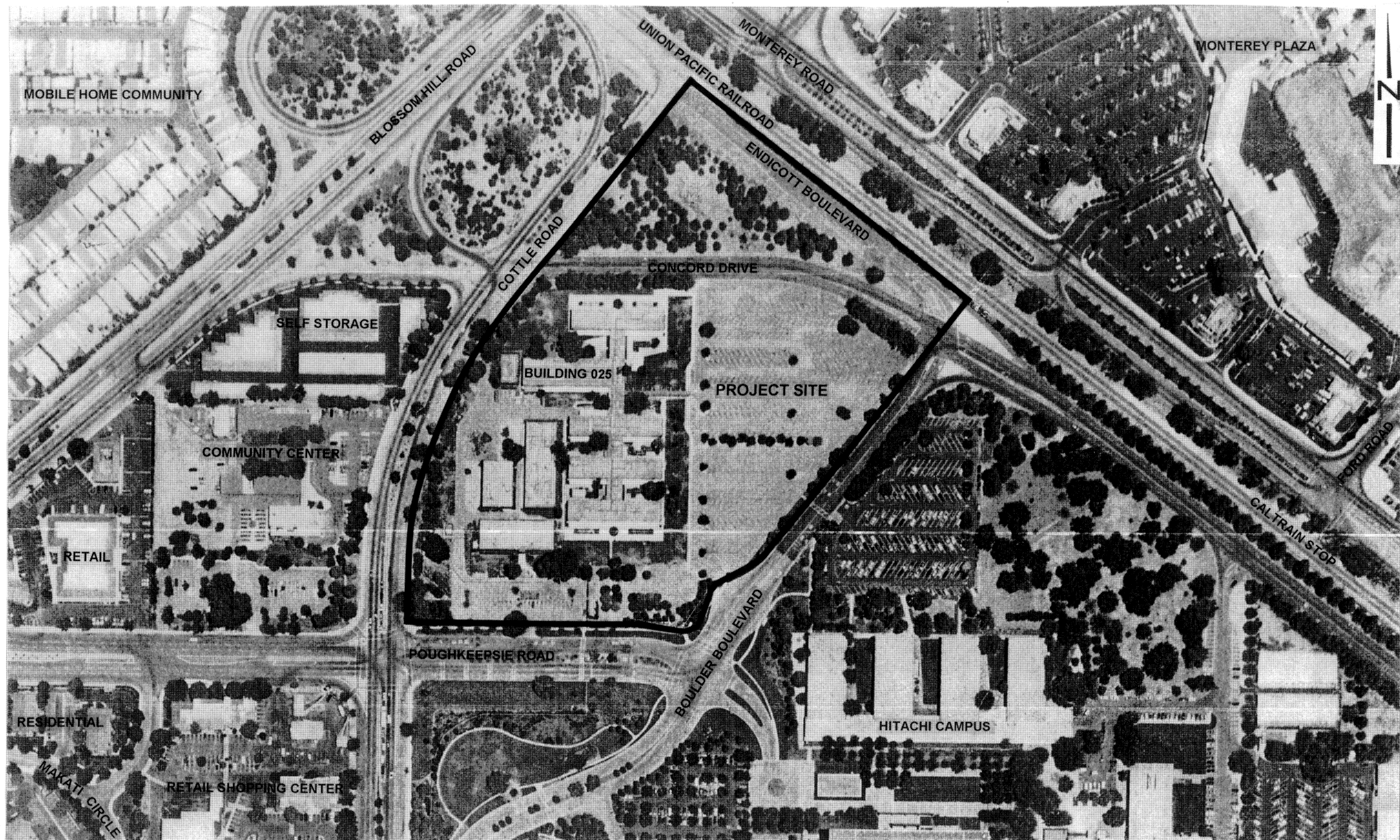
A total of 221,673 square feet (5.09 acres) of retail floor area (including the garden center) is proposed on the 18.75-acre site. The overall Floor Area Ratio (FAR) (i.e., floor area divided by total land area) for the project would be 0.27.

The project would have direct street frontage only along Cottle Road. The Hitachi campus would retain "right-of-way" along the project sides of Poughkeepsie Road and Boulder Boulevard (both private Hitachi streets). The segments of Endicott Boulevard and Concord Drive, both private




 Not to Scale

VICINITY MAP
FIGURE 1

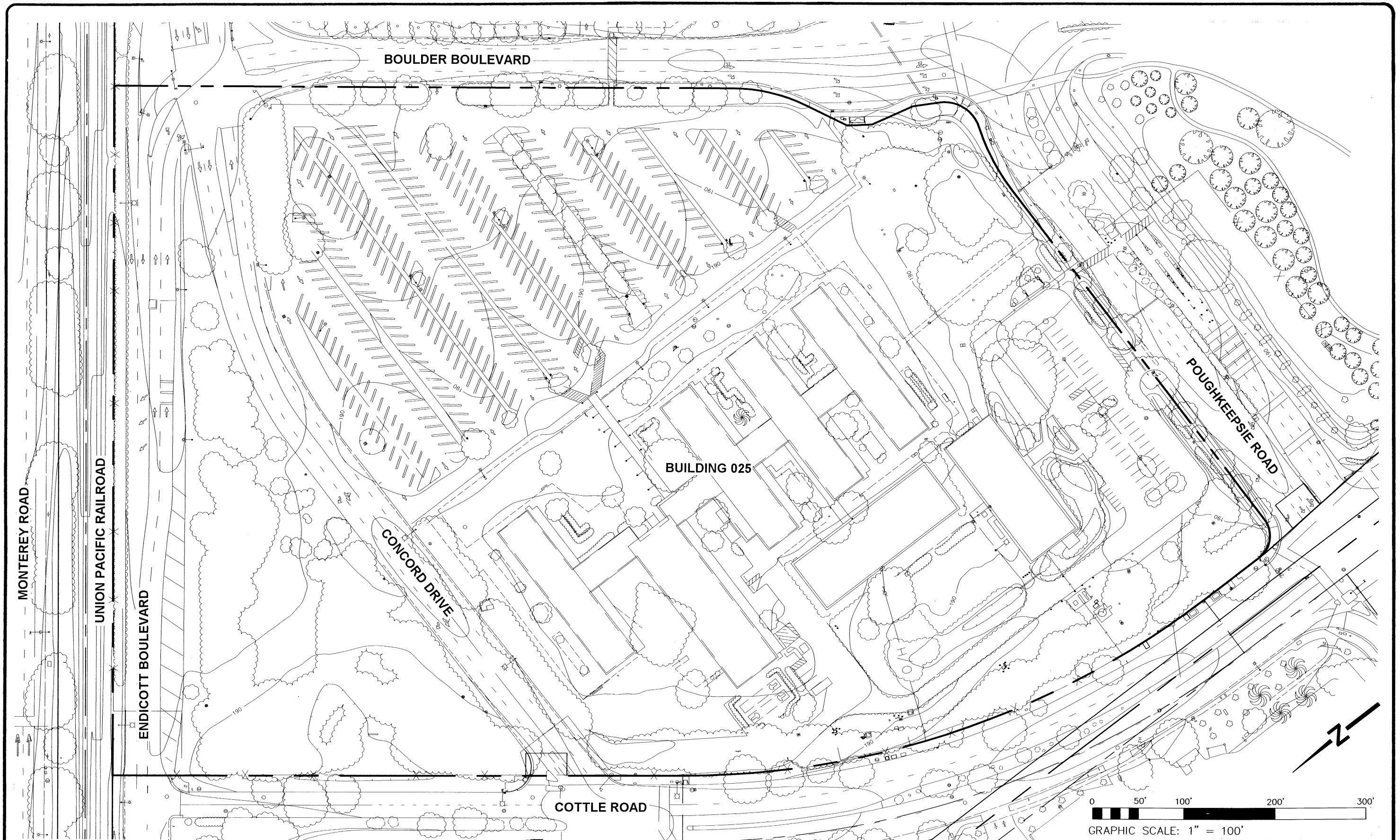


SCALE: 1" = 200'

FLOWN JULY 1996

AERIAL PHOTOGRAPH / LAND USE

FIGURE 3



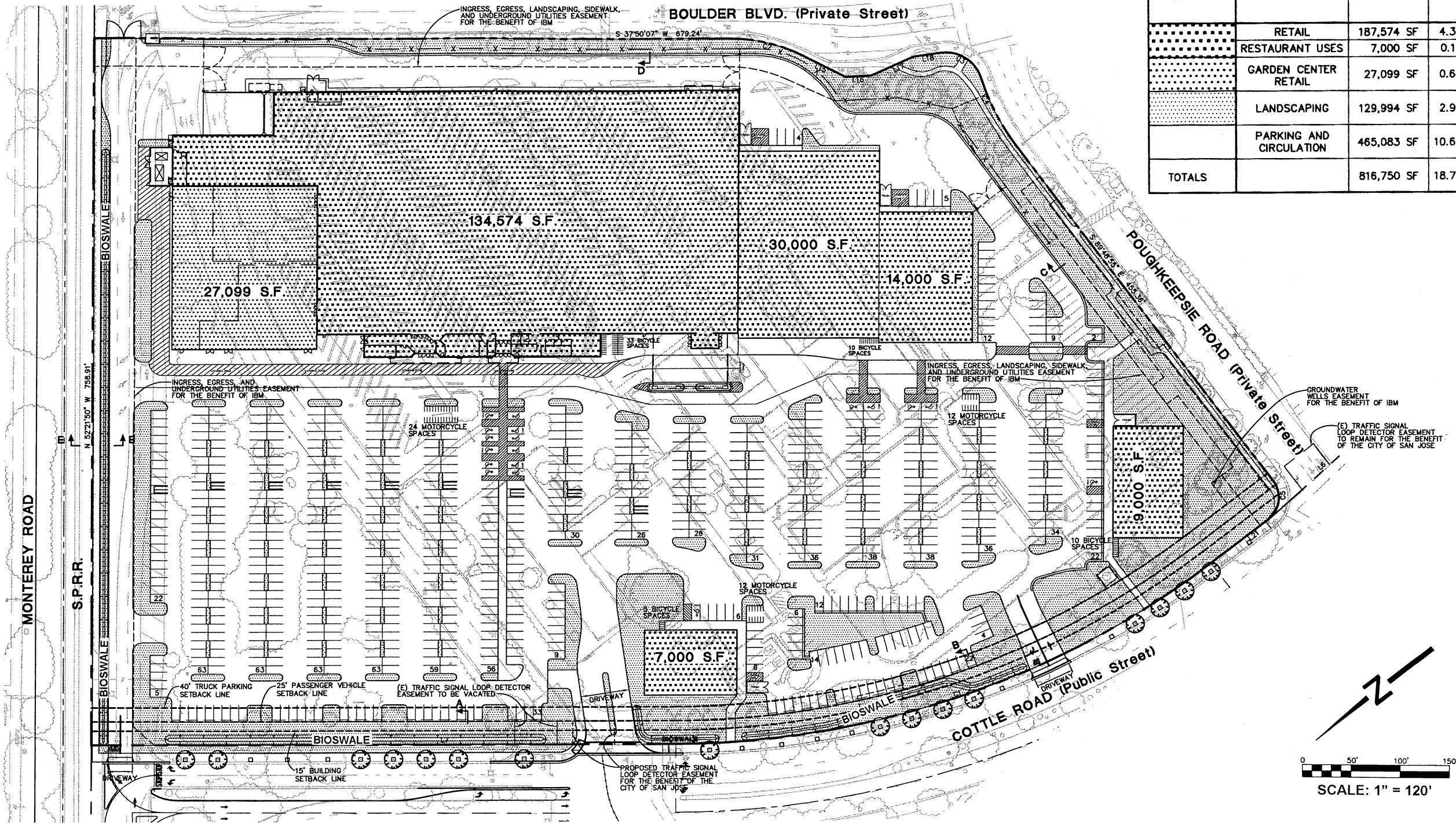
SOURCE: NOLTE ASSOCIATES

EXISTING SITE CONDITIONS

FIGURE 4

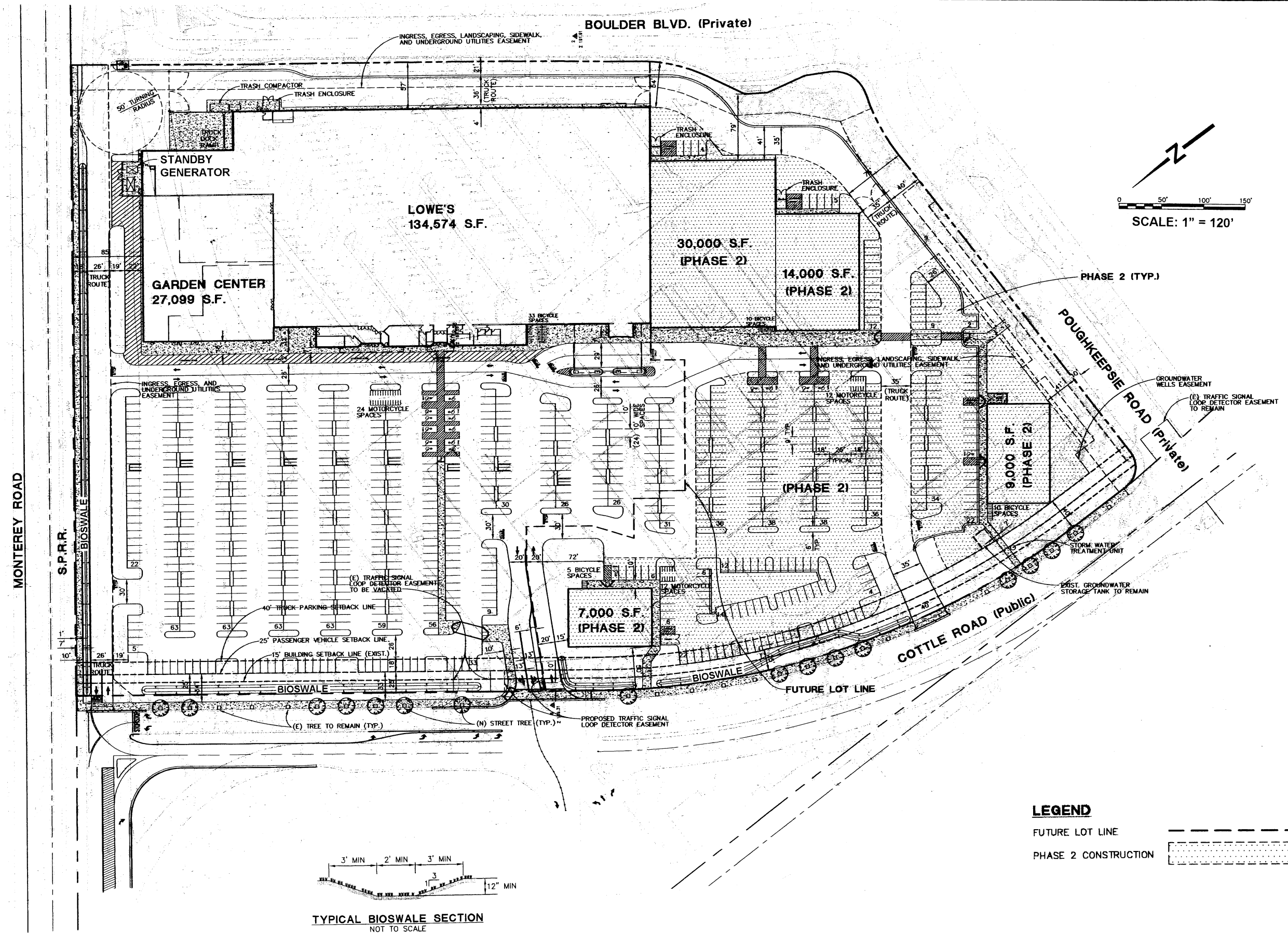
SCHEDULE OF USES:

SYMBOL	LAND USE	SF	AC	FLOOR AREA RATIO	COVERAGE (% TOTAL)
	RETAIL	187,574 SF	4.30 AC	0.24	24%
	RESTAURANT USES	7,000 SF	0.16 AC	0.24	3%
	GARDEN CENTER RETAIL	27,099 SF	0.62 AC	0.03	3%
	LANDSCAPING	129,994 SF	2.99 AC		16%
	PARKING AND CIRCULATION	465,083 SF	10.68 AC		57%
TOTALS		816,750 SF	18.75 AC	0.27	100%



LAND USE PLAN
FIGURE 5

SOURCE: NOLTE ASSOCIATES



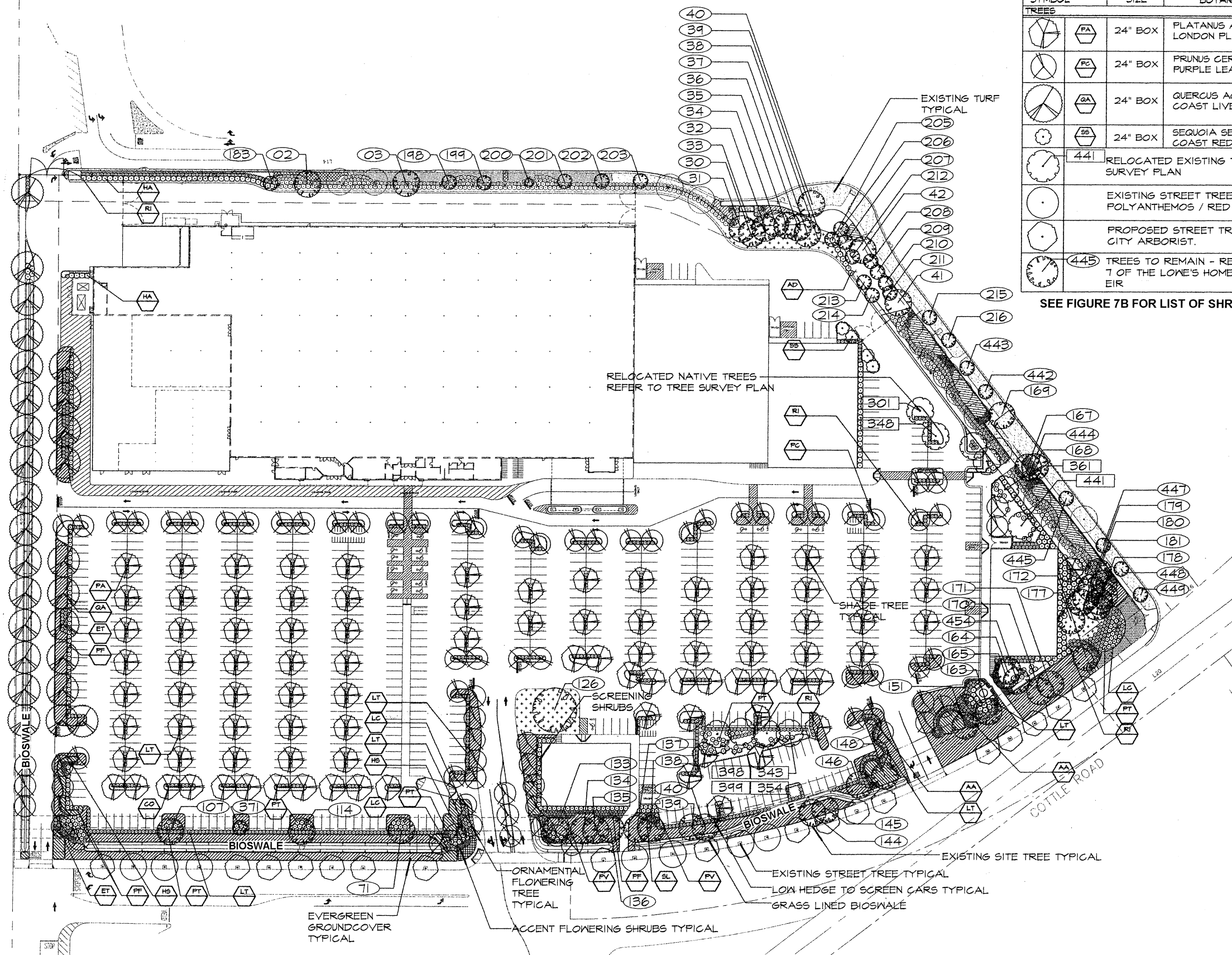
CONCEPTUAL SITE PLAN
FIGURE 6

SOURCE: NOLTE ASSOCIATES

TREE PLANTING LEGEND

SYMBOL	SIZE	BOTANICAL/COMMON NAME	SPACING COMMENTS
TREES			
		24" BOX PLATANUS ACERIFOLIA 'BLOODGOOD' LONDON PLANE TREE	30' O.C.
		24" BOX PRUNUS CERASIFERA 'KRAUTER VES.' PURPLE LEAF PLUM	24' O.C.
		24" BOX QUERCUS AGRIFOLIA COAST LIVE OAK	VARIES
		24" BOX SEQUOIA SEMPERVIRENS 'APTOS BLUE' COAST REDWOOD	VARIES
	441	RELOCATED EXISTING TREES - REFER TO TREE SURVEY PLAN	
		EXISTING STREET TREES - EUCALYPTUS POLYANTHEMOS / RED BOX GUM	
		PROPOSED STREET TREES - SPECIES AND VARIETY BY CITY ARBORIST.	
	445	TREES TO REMAIN - REFER TREE NUMBERS TO TABLE 7 OF THE LOWE'S HOME IMPROVEMENT WAREHOUSE EIR	

SEE FIGURE 7B FOR LIST OF SHRUBS AND GROUNDCOVERS



CONCEPTUAL LANDSCAPE PLAN

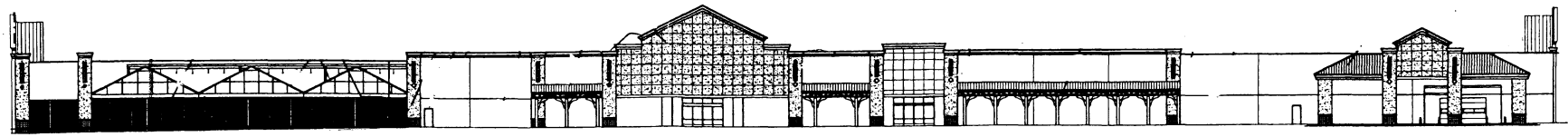
PLANTING LEGEND

SYMBOL	LABEL	SIZE	BOTANICAL/COMMON NAME	SYMBOL	SIZE	BOTANICAL/COMMON NAME	SPACING/COMMENTS
TREES				SHRUBS			
	PA	24" BOX	PLATANUS ACERIFOLIA 'BLOODGOOD' * LONDON PLANE TREE	AA	1 GAL.	ASAPANTHUS AFRICANUS 'INDIGO BLUE' * LILY-OF-THE-NILE	2' O.C.
	PC	24" BOX	PRUNUS CERASIFERA 'KRAUTER VES.' * PURPLE LEAF PLUM	AD	5 GAL.	ARCTOSTAPHYLOS DENSIFLORA * 'SENTINEL' MANZANITA	6' O.C.
	QA	24" BOX	QUERCUS AGRIFOLIA * COAST LIVE OAK	DV	1 GAL.	DIETES VEGATA * FORTNIGHT LILY	2' O.C.
	SS	24" BOX	SEQUOIA SEMPERVIRENS 'APTOS BLUE' * COAST REDWOOD	ET	5 GAL.	ESCALLONIA TERRI * COMPACT ESCALLONIA	3' O.C.
	441	RELOCATED EXISTING TREES - REFER TO TREE SURVEY PLAN		HA	5 GAL.	HETEROMELES ARBUTIFOLIA * TOYON	6' O.C.
	EXISTING STREET TREES - EUCALYPTUS POLYANTHEMOS / RED BOX GUM			HS	5 GAL.	HEMEROCALLIS 'STELLA D'ORO' DAY LILY	2' O.C.
	PROPOSED STREET TREES SPECIES AND VARIETY BY CITY ARBORIST.			LJ	5 GAL.	LIGUSTRUM JAPONICUM * WAX LEAF PRIVET	4' O.C.
	445	TREES TO REMAIN - REFER TREE NUMBERS TO TABLE 7 OF THE LOWE'S HOME IMPROVEMENT WAREHOUSE EIR REPORT		LC	5 GAL.	LOROPETALUM CHINENSE 'RAZZLEBERRY' 'RAZZLEBERRY'	4' O.C.
				PT	5 GAL.	PHORMIUM TENAX 'MAORI CHIEF' * NEW ZEALAND FLAX	5' O.C.
				PF	5 GAL.	PHOTINIA FRASERI PHOTINIA	5' O.C.
				PV	5 GAL.	PITTOSPORUM TOBIRA 'VARIEGATA' * VARIGATED TOBIRA	5' O.C.
				RI	5 GAL.	RHAPHIOLEPIS INDICA 'JACK EVANS' * INDIAN HAWTHORN	4' O.C.
				SL	5 GAL.	SALVIA LEUCANTHA * MEXICAN SAGE	4' O.C.
				GROUND COVER			
					1 GAL.	COTONEASTER 'LOWFAST' * LOWFAST COTONEASTER	3' O.C.
					1 GAL.	HEUCHERA 'PALACE PURPLE' CORAL BELLS	2' O.C.
					1 GAL.	ROSEMARINUS PROSTRATA * TRAILING ROSEMARY	3' O.C.
					4" POTS	ANNUAL COLOR	8" O.C.
					BARK MULCH AT 2" DEPTH		
					SOD TURF - DWARF TALL FESCUE		

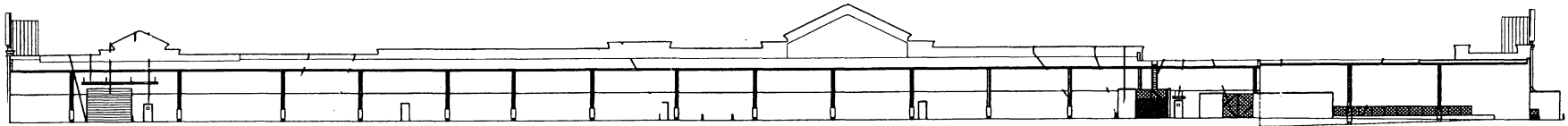
PLANT MATERIAL WITH AN (*) ARE DROUGHT TOLERANT

PLANT MATERIAL WITH AN (*) ARE DROUGHT TOLERANT

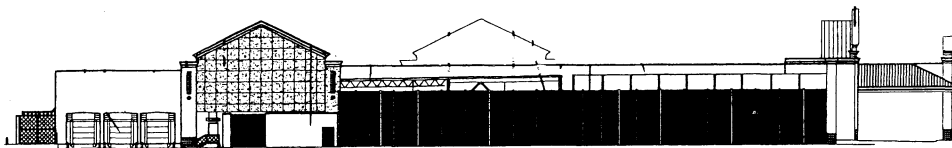
CONCEPTUAL LANDSCAPE PLAN



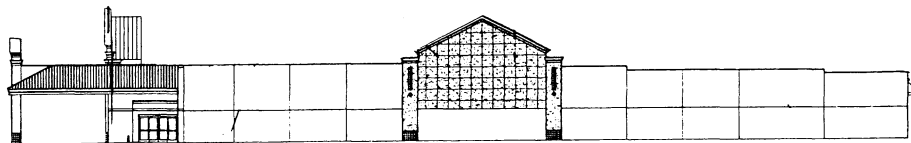
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

CONCEPTUAL ELEVATIONS - LOWE'S

IBM streets which currently traverse the northern portion of the site, would become part of the project site, so the north project boundary would be along the Union Pacific Railroad.

The project landscaping plan provides for planting within the parking areas and along the site perimeter (see Figure 7A). The plan includes 197 trees, over 1,000 shrubs, and various ground covers. Also, 17 street trees are to be planted along the project frontage within the Cottle Road right-of-way, as part of the project. A total of 89 trees will be preserved and incorporated into the project, including 54 ordinance-sized and 35 smaller trees. All 24 locally-endemic California native trees on the site will be retained in the project. In addition, the landscaped portions of the of the Boulder Boulevard and Poughkeepsie Road rights-of-way (both private Hitachi street rights-of-way located off the project site) will receive landscaping enhancements, including 25 trees, almost 1,000 shrubs, and various groundcovers. All trees and shrubs will be irrigated by a permanent automated spray irrigation system which includes a controller with water budgeting capabilities. The project irrigation system will be ready to connect to a reclaimed water supply when it becomes available to the site.

A total of 855 parking spaces are planned for the project. This reflects parking provided at the rate of approximately 3.94 stalls per 1,000 square feet of net floor area (i.e., 85 percent of gross floor area) for the Lowe's center (including the garden center), and a rate of 5.0 stalls per 1,000 square feet of net floor area for the other retail uses. Parking for the restaurant use will be provided at a rate of 1 space per 2½ seats, or one space per 40 square feet of dining area, whichever requires the greatest number of spaces; the dining area will take up approximately 50 percent of the total 7,000 square-foot floor area for the restaurant use. In addition, the project would include 48 motorcycle parking stalls and 58 bicycle spaces, both of which will be provided at a rate of at least one space per 20 automobile parking spaces as required under the City's zoning ordinance (see Section II. G. *Transportation* for further discussion of parking rates.)

3. Standby Power Generator

The project includes one 635-horsepower standby power generator and transformer which would be located on the north side of the main Lowe's building, just east of the garden center. The fuel source for the generator would be an 1,100 gallon above-ground diesel storage tank which would be located beneath the generator. The generator would be enclosed by a 12-foot high wall constructed of concrete masonry units (CMU), and would have a tubular steel entry gate on the north side of the enclosure. The diesel-powered generator would be brought into service only in the event of power outages, and would undergo test and maintenance operations once per week when it would run for about one hour. The generator would meet the City of San José's noise and air quality standards for temporary standby generators (see Sections II. I. *Air Quality* and J. *Noise* for further discussion). (It should be noted that, although there are natural gas mains in the project vicinity, natural gas was not considered as a fuel source for the standby generator because of its much lower fuel efficiency, requiring a larger generator to produce the same amount of power, and higher attendant fuel costs. More importantly, the generator must provide a reliable source of standby power during an emergency power outage. Natural gas cannot provide such reliability due to the potential for pipe breaks during an earthquake, utility supplier failure, or other events causing line breaks.)

4. Signage and Lighting

Signage for the project would consist of one or two monument signs, no more than 20 feet high, along the Cottle Road frontage. There will also be identification signs on the sides of the Lowe's building and the other retail spaces, which will be internally illuminated. In addition, Lowe's will have wall signs indicating major functions such as "Garden Center" and "Indoor Lumber Yard."

All signs will be consistent with the requirements of the City of San José Sign Ordinance. The specifics of sign placement and dimensions will be finalized at the PD Permit stage of project review.

The lighting for the project parking and circulation area consists of 1,000-watt low-pressure sodium luminaries mounted on poles at a height of 20 feet, per City of San José requirements. The luminaries will be mounted in configurations of one, two, three or four luminaries per pole, with the three and four luminary standards located in the interior portions of the site and the one and two luminary standards located mainly in the perimeter areas. Glare and light spill beyond the project boundaries will be avoided through the use of fully-shielded luminaries which will ensure that no light source is visible from outside the project boundaries. Light fixtures mounted on buildings will also be designed to direct light downward with no wall wash. All project lighting will be consistent with the City of San José policy governing outdoor lighting on private developments (City Council Policy 4-3).

5. Site Access and Public Improvements

Vehicular access to the project site would be via three driveway entrances on the Cottle Road frontage. The primary access would be at the center of the site where a signalized intersection currently exists at Cottle Road and Concord Drive. The main project entrance would be the fourth or east leg of that intersection. The second entrance would be a right-in right-out only driveway located on Cottle Road approximately 250 feet north of Poughkeepsie Road. The third entrance would be located at the north end of Cottle Road near the northwest corner of the project site. The latter two entrance driveways would provide for truck access and circulation along the site perimeter to the rear of the Lowe's building.

Within the project site along the northern site boundary, there is a private Hitachi road known as Endicott Boulevard. Along this roadway alignment there is an access easement in favor of Hitachi, which retains the right to use this easement as an alternative travel route for employees at the Cottle Road facility. It is expected that this easement would be open to through traffic to the Hitachi campus only during shift changes (i.e., early morning and late afternoon), as currently occurs along the segment of Concord Drive traversing the site. The area of the project subject to this access easement has been designed to meet the street standards of the City of San José.

Public improvements to be constructed in conjunction with the project will consist of frontage improvements along the portion of the Cottle Road right-of-way adjacent to the site. These improvements will include the construction of curbs, gutters and sidewalks, planting of street trees and installation of street lights in the City's right-of-way, the construction of project driveways, and modifications to the Cottle Road median to allow left turns into the site from Cottle. The existing signalized intersection at Cottle Road and Concord Drive will be reconfigured as the main project entry drive, with restriping and the installation of new signal equipment and a detection system.

6. Site Clearing and Grading

Site clearing activities will include demolition of existing buildings, pavement, and most on-site utility lines, and the removal of most trees and vegetation. This will include the removal of on-site segments of Concord Drive and Endicott Boulevard, private streets which are currently owned by IBM. General building demolition will not proceed until all asbestos-containing building materials, lead-based paint, and PCBs have been removed and disposed of in accordance with applicable laws and regulations. Most on-site facilities associated with the overall Hitachi pump-and-treat groundwater remediation program (e.g., wells, piping, storage tank, transformer)

will remain on the site, although some facilities, such as the storage tank and transformer, will be relocated within the site. (See Section II. K. *Hazards and Hazardous Materials* for a detailed discussion.)

Grading will consist of minor recontouring to provide positive surface drainage throughout the site. This will involve the creation of higher elevations at the building pads, with ground slopes gradually declining toward the vegetated swales in the peripheral areas of the site (see next item). The main building pad will be about three feet above existing ground elevation. The grading plan will require that a minor amount of fill material to be imported to the site. However, the overall import quantity will be reduced by the recycling of existing asphalt and concrete paving on the site which will be ground up and used as base material. It is estimated by the project engineer that less than 10,000 cubic yards of material will be imported to or exported from the site. Therefore, a haul route permit will not be required from the City of San José.

7. On-site Storm Drain, Sanitary Sewer, Domestic Water, and Utility Lines

Storm Water

Stormwater generated at the site will be collected, conveyed, and discharged by a combination of facilities. In the northwestern 12.5 acres of the site, runoff will surface drain through the parking areas to vegetated swales along the northern and western site boundaries. This stormwater will be discharged to existing 12-inch and 15-inch City of San José storm drains in Cottle Road. Along the eastern and southern 6.3 acres of the site, roof and surface drainage will be conveyed to storm drain inlets along the project perimeter and routed to an underground stormwater treatment unit to be installed in the southwest portion of the project. The treated runoff will then be discharged to the existing 15-inch City of San José storm drain in Cottle Road. (A detailed discussion of site hydrology is contained in Section II. C. *Flooding, Drainage, and Water Quality*.)

Sanitary Sewer

Sanitary sewer service to the project site is provided by an existing 12-inch main in Cottle Road. The Lowe's center will be served from an existing 12-inch branch of the Cottle Road main which extends into the site 200 feet along the current alignment of Concord Drive. The Phase 2 buildings will be served directly from the main in Cottle Road. New 6-inch lateral sewers will be constructed to connect all of the project buildings to the City sanitary mains.

Water Supply

Domestic water supply to the project will be provided by Great Oaks Water Company which has an existing 12-inch main in Cottle Road along the site frontage. Domestic service will be provided by 2- and 4-inch laterals to be constructed from the water main to each of the project buildings. Separate 6-inch fire service laterals from the water main will be constructed to connect to the sprinkler system in each building. A separate looped system of 10-inch fire service lines will extend from the water main to serve the 20 fire hydrants to be installed throughout the site. The existing 12-inch water main in Cottle Road is adequate to provide the required domestic, irrigation, and fire service for the project. The project irrigation system will be connected to the City's recycled water system at some future date when service becomes available to the project area.

Utility Lines

Electric service to the project will be provided from existing electrical conduits within the Cottle Road right-of-way along the project frontage.

Natural gas service to the project will be provided from an existing 12-inch high pressure gas line within the Cottle Road right-of-way across from the project site. New service laterals would be constructed to serve the project.

Pacific Bell has an existing underground telephone duct running within Cottle Road along the project frontage. These facilities are adequate to serve the project.

Cable service to the project area is provided by Comcast (formerly AT&T Broadband), which will extend service to the project site upon request.

8. Off-Site Infrastructure (Storm, Sanitary, and Utilities)

The project will not require lengthy extensions of underground services and utilities beyond those required to provide connections to the existing facilities in Cottle Road, as described above.

9. Improvements to be Undertaken Prior to General Site Development

Prior to project development, a number on-site and off-site improvements are planned to bring the site to a condition suitable for the proposed development. Some of these have already been mentioned previously (e.g., building demolition, hazardous materials abatement, removal of trees and vegetation, relocation or abandonment of utilities). In addition, the following specific activities will be undertaken:

- Reroute 12-inch sanitary sewer main serving the Hitachi campus (which currently runs along Concord Drive through project site) to follow new sanitary easements within project site perimeter along Boulder Boulevard and adjacent to the UPRR right-of-way.
- Reconstruct curb and gutter along portions of Boulder Boulevard and Poughkeepsie Road, outside of project site.
- Plant new landscaping and install landscaping irrigation system within Hitachi retained right-of-way along project/campus interface along Boulder Boulevard and Poughkeepsie Road.
- Construct new 8-foot high fence along project/campus interface along Boulder Boulevard and Poughkeepsie Road to match existing site perimeter fencing.

10. Groundwater Extraction and Monitoring System

The contaminated groundwater remediation program for the overall Hitachi campus includes several facilities that are located on the project site. (The groundwater remediation program is described in detail in Section II. K. *Hazards and Hazardous Materials*.) The on-site facilities include two groundwater extraction wells along Cottle Road, seven monitoring wells located along Cottle and Poughkeepsie Roads, an extracted groundwater storage tank, and associated piping. These facilities would continue operation during and after development of the project. None of the extraction or monitoring wells are proposed to be relocated in conjunction with the project, although the surface features of the wells and some piping may be removed or relocated. The extracted water storage tank is planned to be moved a short distance to the southwest corner of the site.

D. PROJECT OBJECTIVES

The City's objectives for development of the site are that it be consistent with the San Jose 2020 General Plan and that it further General Plan goals and strategies for economic development and urban conservation. General Plan conformance would be achieved by new development or redevelopment of underutilized land in Old Edenvale which results in the following:

- Substantially strengthens and expand the community's tax base by providing new sales tax revenue and/or increasing property tax revenues;
- Creates new jobs for local residents proximate to housing; and
- Conforms to City service levels for traffic and other public services and supports the neighborhood preservation objectives of the General Plan.

The objective of the project is to redevelop this currently unused site with a modern big box retail establishment that will provide for the home improvement supply needs of the community and help advance the economic development of south San José.

In addition, the applicant's objectives for the project include specific site selection, planning, design, and building requirements which must be met at each Lowe's center. These requirements are especially relevant to the selection and evaluation of project alternatives in Chapter V of this EIR. The minimum planning and building requirements for Lowe's are as follows:

- Site size of at least 12 acres, with 13 acres required in most cases to account for site-specific conditions.
- Building size of at least 162,000 square-feet, which includes a 27,000 square-foot garden center.
- Main retail sales area of the Lowe's warehouse configured as a large open rectangle with a clearance height of at least 22 feet for warehouse racking.
- Minimum 6-inch-thick reinforced concrete floor slab to support warehouse racking and equipment (the slab thickness is also needed to anchor the racking for purposes of seismic safety).
- At least 525 on-site parking spaces for the Lowe's center, plus parking for the ancillary retail provided at a rate of 5 spaces per 1,000 square feet of floor area.
- Provision for truck circulation around the perimeter of the building, and sufficient maneuvering space for loading.
- Close proximity to a regional transportation corridor/freeway.
- High visibility along the frontage of an arterial or major collector street.
- Location at a traffic signal to facilitate access into the site.
- Located adjacent to a predominantly residential area with medium to high household incomes.
- For sites larger than required for the Lowe's warehouse itself, the surplus acreage is to be developed for retail shopping center uses to enhance synergistic locational effects of retail concentration and to reduce overall project traffic through multi-purpose trips.

Also, to serve the trade area defined by Lowe's for southeast San José, it is the objective of the project applicant that the new center be generally located within the area bounded by Almaden Expressway on the west, Capitol Expressway-Highway 101-Tully Road to the north, and the edge of the existing urbanized area to the east, and the City of Morgan Hill to the south. Potentially suitable sites outside this trade area may be considered by Lowe's in the future to serve other trade areas, but not to serve the southeast San José trade area.

E. USES OF THE EIR

This Environmental Impact Report (EIR) will be used to provide the environmental review necessary for the planned development of the proposed Lowe's project. As noted on page 1 of this EIR, any proposal for development under the IP Industrial Park base zoning district that does not include a home improvement warehouse with essentially the same site plan as is currently pending approval would require additional environmental review and clearance. The EIR provides the City of San José, as the Lead Agency, with relevant environmental information to use in considering the approval of the Lowe's planned development rezoning. The City will use the EIR in its decision-making process for the following discretionary approvals:

- Planned Development (PD) Rezoning for Lowe's and proposed retail
- Planned Development (PD) Permit for Lowe's and proposed retail
- Vesting Tentative Map

The following permit approvals will be included as part of the PD Permit process:

- Tree Removal
- Standby Power Generator
- Demolition

F. CONSISTENCY WITH ADOPTED PLANS AND POLICIES

In conformance with Section 15125(d) of the CEQA guidelines, the following section discusses the consistency of the proposed project with relevant plans and policies.

1. Regional Plans and Policies

1982 Bay Area Air Quality Plan and 1997 Clean Air Act ABAG/BAAQMD/MTC

The 1982 Bay Area Air Quality Plan and 2000 Clean Air Plan ('00 CAP) establish regional policies and guidelines to meet the requirements of the Clean Air Act, as amended through 1990. The Bay Area is a non-attainment area for ozone, since federal standards are exceeded for that pollutant.

The Bay Area '00 Clean Air Plan is the current strategy for improving air quality. Prepared by the Bay Area Air Quality Management District (BAAQMD) in cooperation with the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG), the plan is intended to reduce the health impacts of ozone in ambient air. The Plan proposes the adoption of transportation, mobile source, and stationary source controls on a variety of pollutant sources to offset population growth and improve air quality. The consistency of the proposed project with this regional plan is primarily a question of consistency with the population/employment assumptions utilized in developing the Plan. The '00 CAP was based on the City's General Plan in effect at the time the CAP was approved.

Consistency: The proposed project would increase the amount of traffic on local streets and freeways near the project site. Construction activities associated with the future development of the site will generate temporary air pollution impacts. The proposed land use for the site is included in the City of San José's General Plan buildout scenario. Since growth projections in the Clean Air Plan are based on General Plan buildout and the project does not propose to increase the number of jobs in the buildout assumption, the project would be consistent with the Clean Air Plan.

San Francisco Bay Basin Water Quality Control Plan

The Regional Water Quality Control Board has developed and adopted a Water Quality Control Plan (Basin Plan) for the San Francisco Bay region. The Plan is a master policy document that contains descriptions of the legal, technical, and programmatic bases of water quality regulation. The Regional Board first adopted a water quality control plan in 1975 and the last major revision was adopted in 1995. The Plan provides a program of actions designed to preserve and enhance water quality and to protect beneficial uses based upon the requirements of the Porter-Cologne Act. It meets the requirements of the U.S. Environmental Protection Agency (EPA) and establishes conditions related to discharges that must be met at all times.

The implementation portion of the Basin Plan includes descriptions of specific actions to be taken by local public entities and industries to comply with the policies and objectives of the Plan. These include measures for urban runoff management and agricultural wastewater management.

Consistency: The project would be required to implement state- and locally-mandated stormwater pollution control measures, both during and after construction, as discussed in detail

below. With implementation of these measures, the project would be consistent with the Basin Plan.

Santa Clara Valley Urban Runoff Pollution Prevention Plan

The Santa Clara Valley Urban Runoff Pollution Prevention Program, previously called the Santa Clara Valley Non-point Source Program, was developed in accordance with the requirements of the 1986 San Francisco Bay Basin Water Quality Control Plan, for the purpose of reducing water pollution associated with urban stormwater runoff. The Plan was designed to assist the municipalities in Santa Clara County in implementing the provisions of Section 3041(1) the federal Clean Water Act which mandated that the U.S. EPA develop National Pollutant Discharge Elimination System (NPDES) Permit application requirements for various stormwater discharges, including those from municipal storm drain systems and construction sites. There are two distinct NPDES storm water permits: a Municipal Storm Water NPDES permit under which the City is required to take steps within its area of authority to reduce or eliminate pollutants in storm water to the maximum extent practical (see the subsequent discussion of the City of San José's Post-Construction Urban Runoff Management Policy); and a General Permit for Construction Related Activities, with which the owner of the property under construction must comply. The State Water Resources Control Board administers the NPDES General Construction Permit for the Santa Clara Valley. For properties one acre or greater in size, a Notice of Intent (NOI) to comply with the General Permit must be filed by the property owner, and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared prior to the commencement of construction, and implemented during construction.

Consistency: The proposed project will be required to conform to the requirements of the NPDES permitting program. Surface water pollutants in project runoff have the potential to adversely affect water quality both during and after construction. Section II. C. *Flooding, Drainage, and Water Quality*, of this EIR identifies mitigation measures to reduce water quality impacts in runoff, both during construction and on a permanent basis after construction is complete. These mitigation measures are consistent with the standards of the Santa Clara Valley Urban Runoff Pollution Prevention Program. Since the existing development on the site did not include best management practices or other measures to reduce pollution in runoff, redevelopment of the project site would result in improvements to the water quality of runoff from the site.

Santa Clara County Congestion Management Program

The Santa Clara Valley Transportation Authority (VTA) oversees the *Santa Clara County Congestion Management Program* (CMP), which was last updated in May 1998. The relevant state legislation requires that all urbanized counties in California prepare a CMP in order to obtain each county's share of the increased gas tax revenues. The CMP legislation requires that each CMP contain the following five elements: 1) a system definition and traffic level of service standard element; 2) a transit service and standards element; 3) a trip reduction and transportation demand management element; 4) a land use impact analysis program element; and 5) a capital improvement element. The Santa Clara County CMP includes the five mandated elements and three additional elements, including: a county-wide transportation model and data base element, an annual monitoring and conformance element, and a deficiency plan element. The CMP facilities in the immediate vicinity of the project site that would be affected by future traffic generated by the project include: Cottle Road and State Route (SR) 85, U.S. 101 and Blossom Hill/Silver Creek Valley Road, Monterey Road and Blossom Hill Road, and Cottle Road and Santa Teresa Boulevard.

Consistency: As discussed in Section II. G. *Transportation*, the potential Level of Service impacts at CMP intersections affected by the project would be mitigated by improvements to be ultimately constructed by the Redevelopment Agency in conjunction with development of the Edenvale Redevelopment Project Area. Therefore, the project would be consistent with the relevant provisions of the CMP.

2. Local Plans and Policies

San José 2020 General Plan

According to the City of San José's 2020 General Plan Land Use/Transportation Diagram, the General Plan land use designation for the site is *Industrial Park* with a *Mixed Industrial Overlay*. According to the General Plan text, the *Industrial Park* base designation is "an exclusive industrial designation intended for a wide variety of industrial users such as research and development, manufacturing, assembly, testing and offices." The General Plan states that "[a]reas designated with the *Mixed Industrial Overlay* may be appropriate for a mixture of primarily industrial with compatible commercial or public/quasi-public uses..." which include big box retailers.

Consistency: The proposed project is a Planned Development rezoning application for big box retail and other commercial uses which are compatible with the adjacent industrial park uses to the south and consistent with the *Industrial Park* with a *Mixed Industrial Overlay* land use designation. Therefore, the project is consistent with the General Plan land use designation for the site.

Major Strategies

Economic Development Major Strategy

The City of San José's Economic Development Major Strategy strives to make San José a more "balanced community" by encouraging more commercial and industrial development to balance existing residential development, by creating an equitable distribution of job centers and residential areas, and by controlling the timing of development. San José currently houses many more employed residents than it has jobs, therefore it has an existing jobs/housing imbalance.

Consistency: The proposed project promotes economic development in San José by providing new jobs in San José, and therefore is consistent with this Major Strategy.

Sustainable City Major Strategy

The Sustainable City Major Strategy reflects San José's desire to become an environmentally and economically sustainable city, minimizing waste and efficiently using its natural resources.

Consistency: The project would reduce overall energy consumption through its location within a predominantly residential area, by reducing trips to home improvement centers outside the area. Existing paving materials would be recycled and reused on the site, with potential impacts from on-site materials crushing to be mitigated to less-than-significant levels (see Sections II. I. *Air Quality*, J. *Noise*, and K. *Hazards and Hazardous Materials* for discussion). Materials from the demolished buildings would be salvaged and reused to the extent feasible, and landscaping material removed from the site would be diverted for reuse or green cycled. A number of existing trees on the site would be preserved and incorporated into the project, including all locally-endemic coast live oak and black walnut trees on the site, with some trees transplanted within the

project (see Section II. D. *Biological Resources* for discussion). In addition, the proposed project would include an irrigation system ready to connect to a reclaimed water supply, landscaping which meets the City's water conservation guidelines, and a pedestrian circulation system to encourage access to transit. Therefore, the proposed project supports the City's Sustainable City Major strategy.

General Plan Policies

Balanced Community Policy #1

The City should foster development patterns which will achieve a "whole and complete community" in San José, and improve the balance between jobs and housing, to the greatest extent feasible.

Consistency: The project proposes to contribute to that balance by locating jobs within the southeast area of San Jose where residential development predominates. Therefore, the project would be consistent with *Balanced Community Policy #1*.

Commercial Land Use Policy #1

Commercial land in San José should be distributed in a manner that maximizes community accessibility to a variety of retail commercial outlets and services and minimizes the need for automobile travel. New commercial development should be located near existing centers of employment or population or in close proximity to transit facilities and should be designed to encourage pedestrian and bicycle access through techniques such as minimizing building separation from the street, providing convenient and pleasant pedestrian connections, secure bike storage, etc. Employee intensive uses should be encouraged to locate along multi-modal transit corridors.

Consistency: The proposed project consists of commercial development in proximity to both centers of employment and residential development, thus potentially shortening shopping trips. In addition, it is located near the Caltrain station at Monterey Road and Ford Road, and thus would facilitate the use of this transportation alternative by employees of the project. Therefore, the project would be consistent with *Commercial Land Use Policy #1*.

Economic Development Policy #1

The City should reduce the imbalance between housing and employment by seeking to obtain and maintain an improved balance between jobs and workers residing in San José. A perfect balance between the number of jobs and employed residents may not be achievable, but the City should attempt to achieve a minimum ratio of 0.80 jobs/employed resident to attain greater fiscal stability.

Consistency: The proposed project would provide new commercial development and contribute to an improvement in the City's jobs and housing balance. Therefore, the project would be consistent with *Economic Development Policy #1*.

Urban Service Area Policy #1

The General Plan designates an Urban Service Area (USA) where services and facilities provided by the City and other public agencies are generally available, and where urban development requiring such services should be located.

Consistency: The project proposes development within the Urban Service Area boundary and therefore would be consistent with *Urban Service Area Policy #1*.

Level of Service Policy #5

The minimum overall performance of City streets during peak travel periods should be Level of Service “D.”

Consistency: The project will add substantial additional traffic to two freeway ramps at the U.S.101/Blossom Hill Road-Silver Creek Valley Road Interchange, which operates at Level of Service “F” under background conditions with existing traffic and trips from approved development in the area. Therefore, the addition of project traffic to these ramps would result in a significant Level of Service impact (see Section II. H. *Transportation for discussion*). However, the Edenvale Redevelopment Project Area is subject to the Edenvale Area Development Policy which allows interim congestion levels which exceed the LOS policy standards at this gateway intersection and the U.S. 101/Hellyer Avenue interchange until major improvements are constructed which will restore the Level of Service to an acceptable level. The City of San José is bringing forward an amendment to the Edenvale Area Development Policy which will include the proposed additional development on the project site which had not been determined when the Policy was developed. The project will be required to make a fair-share contribution toward Edenvale Area transportation improvements, consistent with the fair-share contributions made by other Edenvale industrial and commercial occupants. Inclusion of the project in the Edenvale Area Development Policy area would allow the proposed project to proceed and be in conformance with the General Plan Level of Service policy (see ‘Edenvale Area Development Policy’ below for detailed discussion).

Historic, Architectural and Cultural Resources Policy #1

Because historically or archaeologically sensitive sites, structures and districts are irreplaceable resources, their preservation should be a key consideration in the development review process.

Discussion: Although the project does not propose preservation of the historic building on the site, a full exploration and analysis of possible alternatives which would feasibly allow for preservation of the building was undertaken during the development review process (see Chapter V. *Alternatives to the Proposed Project*). Although mitigation measures have been proposed in conjunction with the project which would reduce somewhat the project’s impact on historic resources, the proposed demolition of this historic building would not be consistent with this policy (see Section II. F. *Historic Resources*).

Historic, Architectural and Cultural Resources Policy #2

The City should use the Area of Historic Sensitivity overlay and the landmark designation process of the Historical Preservation Ordinance to promote and enhance the preservation of historically or architecturally significant sites and structures.

Discussion: The historical evaluation conducted on IBM Building 025 determined that the building qualifies for designation as a “Candidate City Landmark.” This evaluation raised awareness of the significance of Building 025 as an historic resource, and has led to the promotion of its preservation. The proposal to remove Building 025 in conjunction with the proposed project would not be consistent with this policy.

Historic, Architectural and Cultural Resources Policy #5

New development in proximity to designated historic landmark structures and sites should be designed to be compatible with the character of the designated historic resource. In particular, development proposals located within Areas of Historic Sensitivity designation should be reviewed for such design sensitivity.

Discussion: Since Building 025 has been determined to qualify as a Candidate City Landmark, the removal of this building in conjunction with the proposed project would not be consistent with this policy.

Historic, Architectural and Cultural Resources Policy #6

The City should foster rehabilitation of individual buildings and districts of historic significance and should utilize a variety of techniques and measures to serve as incentives toward achieving this end. Approaches which should be considered for implementation of this policy include, among others: Discretionary Alternate Land Use Policy Number 3, permitting flexibility as to the uses allowed in structures of historic or architectural merit; transfer of development rights from designated historic sites; tax relief for designated landmarks and/or districts; alternative building code provisions for reuse of historic structures; and such financial incentives as grants, loans and/or loan guarantees to assist rehabilitation efforts.

Discussion: Since this policy promotes the retention of Building 025, the proposal to remove Building 025 in conjunction with the project would not be consistent with this policy.

Soils and Geologic Conditions Policies #6

Development in areas subject to soils and geologic hazards should incorporate adequate mitigation measures.

Discussion: Although the project lies in a seismically active area, there are no extraordinary hazards associated with this site that cannot be adequately mitigated through existing regulatory requirements and foundation engineering specifications recommended by a qualified geotechnical engineer (see *Section II. B. Geology, Soils and Seismicity*). Since the project would provide adequate mitigation measures for soils and geologic hazards, it would be consistent with this policy.

Hazardous Material Policy #3

The City should incorporate soil and groundwater contamination analysis within the environmental review process for development proposals. When contamination is present on a site, the City should report this information to the appropriate agencies that regulate the cleanup of toxic contamination.

Discussion: The Phase I Environmental Site Assessment conducted on the project site found no evidence of soil or groundwater contamination that would adversely affect the project. The existing plume of groundwater contamination that extends beneath the site has been subject to ongoing remediation for a number of years and will not adversely affect the project (see *Section II. K. Hazards and Hazardous Materials*). Since the contamination assessment was prepared in conjunction with the environmental review process for the project, and since the negative findings of the investigation indicate that no clean-up is required, the project would be consistent with this policy.

San José Zoning Ordinance

The zoning designation for the project site is *IP Industrial Park* under which the proposed home improvement warehouse and the other proposed retail uses (e.g., commercial support, financial services, and restaurant use) are permitted or conditionally permitted land uses. However, in order to obtain a greater degree of flexibility for site planning than is permitted under the existing zoning, the applicant has submitted the subject application to rezone the site to *IP (PD) Planned Development* Zoning District. The PD zoning also provides a master plan for the retail uses contemplated in Phase 2, something which would not be required under the IP base zoning.

Consistency: The proposed PD rezoning would be consistent with the current zoning for the site.

Policy on Preservation of Historic Landmarks

The purpose and intent statement of this policy states the following:

“It is the policy of the City of San José to strongly encourage preservation and adaptive reuse of designated landmark structures. Proposals to alter such structures must include a thorough and comprehensive evaluation of the historic and architectural significance of the structure and the economic and structural feasibility of preservation and/or adaptive reuse. Every effort should be made to incorporate existing landmark structures into the future plans for their site and the surrounding area.”

The policy applies to structures that have been designated as landmark structures or have been determined to qualify for landmark status. For proposals to alter or demolish a landmark or candidate landmark structure, the policy includes provisions for public notice and hearings before the Historic Landmarks Commission to receive public input. In addition, the policy requires that “[f]inal decisions to alter or demolish a landmark structure must be accompanied by findings which document that it is not feasible to retain the building or which record the overriding considerations which warrant the loss of the landmark structure.”

Consistency: This policy applies to Building 025, which has undergone a thorough historic evaluation which determined that it qualifies as Candidate City Landmark under the City’s Historic Preservation Ordinance. In addition, this EIR includes an evaluation of the feasibility of preserving Building 025, both in conjunction with the proposed project, and without the project. The project applicant does not propose to incorporate Building 025 into the proposed project, and instead proposes to demolish the building. Therefore, the project would not be consistent with the stated purpose and intent of this policy to preserve and incorporate landmark structures into future site plans.

Edenvale Area Development Policy

The proposed project is located within the Edenvale Area Development Policy (EADP) area, primarily encompassing the Edenvale Redevelopment project areas in south San Jose. The Area Development Policy was adopted to provide for the timely approval of up to 5 million square feet of development in Edenvale ahead of the programmed transportation improvement projects at the gateway locations of the U.S. 101/Blossom Hill Road interchange and U.S. 101/Hellyer Avenue interchange. The policy allows interim congestion levels which exceed the LOS policy standards at these gateway intersections until these major improvements are constructed. When the EADP was adopted in the year 2000, a level of additional development on the proposed Lowe’s project

site on the IBM campus had not yet been determined and was therefore not specifically addressed by this policy.

The Edenvale Area Development Policy is proposed to be amended by the City to include the future economic development square footage of the proposed project on the underutilized IBM site. This amendment would allow this economic development to be achieved in a timely manner consistent with other development in Edenvale. The ultimate capacity of the “gateway” improvements, which are moving into a design and final costing phase in 2004 with Redevelopment Agency commitment, will accommodate the proposed Lowe’s project. This proposed EADP amendment would be brought forward by the City concurrently with the proposed rezoning.

Consistency: With the proposed amendment to the Edenvale Area Development Policy to incorporate the economic development of the Lowe’s project on the IBM site, the project will be consistent with the General Plan Transportation LOS policy.

Policy for 24-Hour Uses

The Policy for Evaluation of 24-hour uses is intended to provide guidelines for the appropriate development of establishments that operate on a 24-hour basis in the City. The proposed rezoning includes provision for one sit-down restaurant that could wish to remain open past midnight. While the other potential retail uses that may occupy the project site have not been specifically identified, they would generally consist of retail sales and service uses, which would not remain open past midnight. Generally, the policy recommends a 300-foot separation between late-night uses and residential properties; however, this requirement may be reduced or increased upon review of the specific circumstances of the project. Consideration of future land uses involving a 24-hour operation would be addressed during the PD Permit review process.

Consistency: The location of the proposed late-night restaurant has not been determined, but it could occupy any of the four retail spaces proposed in Phase 2 of the project. At any of these locations, the restaurant would be situated at least 600 feet from any residential uses to the southwest, northwest, and northeast. In addition, these sensitive receptors are separated from the proposed late-night use by Cottle Road and Poughkeepsie Road to the southeast, Cottle Road and Blossom Hill Road to the northeast, and Monterey Road and the Union Pacific Railroad to the northwest. It is unlikely that any noise from a proposed 24-hour restaurant use would be audible or detectable to local residences; therefore, the proposed project would be consistent with the City of San José’s 24-hour use policy.

Post-Construction Urban Runoff Management Policy

The City of San José’s Post-Construction Urban Runoff Management Policy states that all new development projects proposing 5,000 square feet or more of new building rooftop or paved area, or 25 or more uncovered parking stalls should include the following: 1) install and maintain post-construction treatment control measures; 2) stencil on-site inlets in conformance with City requirements; and 3) clean on-site inlets a minimum of once per year, prior to the wet season. All post-construction treatment control measures are required by the Policy to be installed, operated and maintained by qualified personnel, and property owners/applicants are required to keep maintenance and inspection records. For projects with suitable landscape areas, the Policy also identifies vegetative swales or biofilters as the preferred treatment control measures.

Consistency: The proposed project would be subject to the provisions of the Post-Construction Urban Runoff Management Policy. The project includes stormwater treatment measures such as

bioswales along a portion of the site perimeter, as well as an underground stormwater treatment unit to treat rooftop and pavement runoff (the planned bioswales are shown in Figures 5, 6, and 7, with a cross-section detail shown on the bottom of Figure 6). Other City of San José requirements for protecting stormwater quality would also be implemented. In addition, the project would prepare and implement a Storm Water Pollution Prevention Plan as required under the National Pollutant Discharge Elimination System (NPDES) and administered by the State Water Resources Control Board (see Section II. C. *Flooding, Drainage, and Water Quality* for discussion).

San José Guidelines for New Development in Proximity to High Pressure Gas Pipelines

The City's policy regarding new development in proximity to high pressure gas pipelines requires that only buildings having a "low-density occupancy load" should be allowed within 250 feet of the edge of a pipeline right-of-way, in order to minimize exposure to potential hazards. The definition for "low-density occupancy load" buildings includes retail stores that are not part of a shopping mall, and offices. Additionally, no building of more than two stories should be allowed within 250 feet of the edge of the pipeline right-of-way.

Consistency: There are two high-pressure gas pipelines in the project vicinity. These include a 12-inch main along the Cottle Road right-of-way along the project frontage, and a 10-inch line in the Monterey Road right-of-way to the north. Since the proposed uses are a big box retail and related retail, service, and restaurant users, and no structure would be greater than two stories in height, the proposed project complies with all of the requirements of the City's guidelines for development of land in proximity to high-pressure gas pipelines.

II. ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION

A. LAND USE

1. Existing Setting

The 18.75-acre project site formerly comprised the northwest portion of the former 300-acre IBM Cottle Road campus. (The project site is still owned by IBM although the remainder of the campus is now owned by Hitachi.) The essentially level project site is occupied by three vacant research/ office buildings, asphalt parking lots, landscaping and hardscape elements, and two private street segments (Concord Drive and Endicott Boulevard) (see Figure 4). The three buildings are all single-story with a total floor area of 89,364 square feet. These include: former IBM Building 025 (69,014 square feet), completed in 1957; Building 024 (10,802 square feet), completed in 1973; and Building 030 (9,548 square feet), completed in 1974. Building 025 is constructed of brick and steel and has a partial basement. (For a detailed discussion of Building 025, see Section II. F. *Historic Resources*.) Buildings 024 and 030 are constructed of wood and have no basements. A fourth building (IBM 027 - 5,871 square feet), formerly located near the southwest corner of the site, was built in 1974 and demolished in 1996. There are a total of 454 trees on the site, of which 164 are ordinance-sized and 24 are locally-endemic California natives (e.g., 20 coast live oaks and 4 California walnut trees). All of these trees were planted as landscaping in conjunction with the construction of Building 025 in the mid-1950s.

Surrounding Land Uses

The project site is surrounded by a variety of land uses in this largely built-out area of south San José (see Figure 3). The uses adjacent to the north include the Monterey Road/Union Pacific Railroad corridor and the grade-separated intersection of Monterey Road and Blossom Hill Road, and U.S. Highway 101 beyond. Nearby land uses to the north, in the area bounded by Monterey Road and U.S. Highway 101, include a moderate-sized shopping plaza (Monterey Plaza), mobile home parks, single-family residential development, and the park-and-ride lot for the Caltrain stop at Ford Road. Land uses adjacent to the east and south consist entirely of the research, office, and manufacturing facilities of the Hitachi Cottle Road Campus. Land uses across Cottle Road to the west include a public storage facility, the Southside Community and Senior Center, and a small retail plaza. Further to the northwest, across Blossom Hill Road, land uses consist almost exclusively of mobile home park residential development. Lands to the southwest include a gas station, small commercial strips along Poughkeepsie and Cottle Roads, and a large multi-family residential complex in the interior area to the southwest of these streets.

2. Land Use Impacts

For purposes of this project, a land use impact would be considered significant if the project would:

- substantially adversely change the type or intensity of existing or planned land use in the area; or
- be incompatible with adjacent land uses or with the general character of the surrounding area; or
- disrupt or divide the physical arrangement of an established community; or
- conflict with established residential, recreational, educational, religious, or scientific uses of an area; or

- conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, Specific Plan, or Zoning Ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Consistency with Land Use Policies

According to the City of San José's 2020 General Plan Land Use/Transportation Diagram, the General Plan land use designation for the site is *Industrial Park* with a *Mixed Industrial Overlay*. According to the General Plan text, the *Industrial Park* designation is "an exclusive industrial designation intended for a wide variety of industrial users such as research and development, manufacturing, assembly, testing and offices." The General Plan states that "[a]reas designated with the *Mixed Industrial Overlay* may be appropriate for a mixture of primarily industrial with compatible commercial or public/quasi-public uses..." which include big box retailers.

The proposed project is a Planned Development rezoning application for big box retail and other commercial uses which are compatible with the adjacent industrial park uses to the south. While all the proposed land uses may not be allowed under the base *Industrial Park* designation, they are permitted under the *Industrial Park* with *Mixed Industrial Overlay*. Since the project is consistent with the General Plan land use designation for the site, it would not result in a significant impact in terms of General Plan consistency. (See Section I. F. *Consistency with Adopted Plans and Policies* for a detailed discussion of applicable federal, state, and local regulations and policies applicable to the project, and the project's consistency with those policies and regulations.)

The applicant proposes to retain the base zoning district of IP Industrial Park. This would maintain the currently existing zoning district which conforms to the site's General Plan Land Use/Transportation diagram designation of *Industrial Park* and would continue to allow industrial park, research and development and light industrial uses as identified in the Zoning Code. In the event that the proposed Planned Development rezoning is approved, but a Planned Development permit never approved on the site for Lowe's or other home improvement warehouse, a subsequent application for a Site Development or Conditional Use Permit could be made on this site for an enumerated use in the IP Industrial Park zoning district. This Environmental Impact Report **does not** provide the project environmental clearance for these potential development applications under the IP zoning district, and additional environmental analysis would be required for all such proposals. Specifically, the building footprint, square footage, and parking requirements described in this EIR and as shown in the proposed conceptual site plan are requirements of the proposed home improvement warehouse use, and the EIR conclusions related to project impacts and alternatives is relevant only for that proposed project.

Land Use Conflicts

Land use conflicts can result from two basic causes: 1) a new development or land use may cause impacts to persons or the physical environment in the vicinity of the project or elsewhere; or 2) conditions on or near the project site may have impacts on the persons or development introduced onto the site by the new development. Both of these circumstances are elements of *land use compatibility*. Potential incompatibility may arise from placing a particular development or land use at an inappropriate location, or from some aspect of the project's design or scope. Depending on the nature of the impact and its severity, land compatibility conflicts can range from minor irritations and nuisance to potentially significant effects on human health and safety. The discussion below distinguishes between potential impacts *from* the proposed project upon persons and the physical environment surrounding the site, and potential impacts from the project's surroundings *upon* the project itself.

Impacts from the Project

The proposed project will change the character of the project site. It will replace the existing vacant research/office use with a contemporary commercial retail development. Although the project represents the redevelopment of an already urbanized site, the project will constitute an intensification of use.

Land Use Compatibility

As described above, land uses adjacent to the project site include a campus industrial facility to the east and south, commercial uses and a neighborhood community center to the west, and a mobile home park across grade-separated intersection of the Blossom Hill Road and Monterey Road to the northwest. There are no residential uses directly adjacent to the site, and the nearest residences are approximately 600 feet from the project boundaries.

The proposed project would be compatible with the surrounding industrial and commercial uses. Buildings on the site will be designed to be consistent with the City of San José's Commercial Design Guidelines. The guidelines state that commercial structures and activities should be located and designed to avoid creating nuisances and hazards for adjoining properties and that landscaping should work with buildings and surroundings to make a positive contribution to the aesthetics and function of both the specific site and the area. As discussed in Sections *II. J. Noise* and *II. K. Hazards and Hazardous Materials*, the project would not create nuisances or hazards for adjoining properties. The project would be compatible with the surrounding land uses.

- **The proposed project would not result in a significant land use compatibility impact on nearby development. (Less-than-Significant Impact)**

Construction Impacts

Impacts related to construction activity primarily consist of noise generated by construction equipment, and dust generated during site clearance, demolition, and grading for the project. This will include the removal and on-site crushing of existing asphalt and concrete for reuse as base material in the project. As discussed in Section *II. I. Air Quality*, *II. J. Noise* and *II. K. Hazards and Hazardous Materials* of this EIR, these potential impacts will be reduced to less-than-significant levels with mitigation measures to be implemented in conjunction with the project.

Impacts to the Project

High-Pressure Natural Gas Line

There are two high-pressure natural gas mains in the immediate project vicinity. These include a 12-inch gas main to the west in Cottle Road that runs along the west side of the right-of-way, a 10-inch main that runs along Monterey Road and the Union Pacific Railroad to the north of the site. These high-pressure gas lines are both located approximately 150 feet from the nearest proposed buildings on the project site. Neither of these gas lines is proposed to be relocated or disturbed in conjunction with the project.

City of San José guidelines pertaining to development near gas pipelines require that only buildings having a "low-density occupancy load" should be allowed within 250 feet of the edge of a pipeline right-of-way, in order to minimize exposure to potential hazards. The definition of

“low-density occupancy load” buildings includes retail stores that are not part of a shopping mall, and offices. Additionally, no building of more than two stories should be allowed within 250 feet of the edge of the pipeline right-of-way. Since the proposed uses are retail stores, and no structure would be greater than two stories in height, the proposed project complies with all of the requirements of the City’s guidelines for development of land in proximity to high-pressure gas pipelines.

- **Development of the proposed project would be compatible with the existing high-pressure natural gas pipelines that run parallel to the north and west boundaries of the site. (Less-than-Significant Impact)**

B. GEOLOGY, SOILS, AND SEISMICITY

The following discussion is primarily based on the geotechnical investigation of the project site conducted by Treadwell & Rollo, Inc., in September 2002. A copy of the geotechnical report is included in Appendix A of this EIR.

1. Existing Setting

Geology and Soils

The project site is located at the narrow part of the Santa Clara Valley where the Santa Cruz Mountains to the west and the Diablo Range to the east converge. The site is underlain by thick accumulations of alluvial sediments which are divided into the older Santa Clara Formation, and the upper younger surficial deposits of alluvium and alluvial fans, which rest on the older Mesozoic rocks of the adjacent coastal mountain ranges.

The site is generally underlain by stiff to very stiff clay to a depth of approximately 20 feet. This clay is interbedded with very dense silty sand to a depth of 10 feet. The clays between one and six feet below the ground surface are moderately expansive, which means that they are subject to shrinking and swelling during seasonal wetting and drying cycles. Materials below the clay consist of sand, silt and clay to an approximate depth of 34 feet. The silty sand is medium dense and the silt and clay are medium stiff to hard. Below these soils is a layer of medium dense poorly graded sand and gravel that extends to a depth of 37 feet. Below the sand and gravel layer is stiff to very stiff clay.

Groundwater Conditions

The subsurface investigation by Treadwell & Rollo in July 2002 measured groundwater levels at approximately 30 feet below the ground surface. Groundwater monitoring conducted at the project site over the past 20 years indicate that groundwater levels fluctuate from approximately 20 feet to 70 feet below the ground surface. (See Section II. K. *Hazards and Hazardous Materials* for a discussion of groundwater contamination beneath the project site.)

Faults and Seismicity

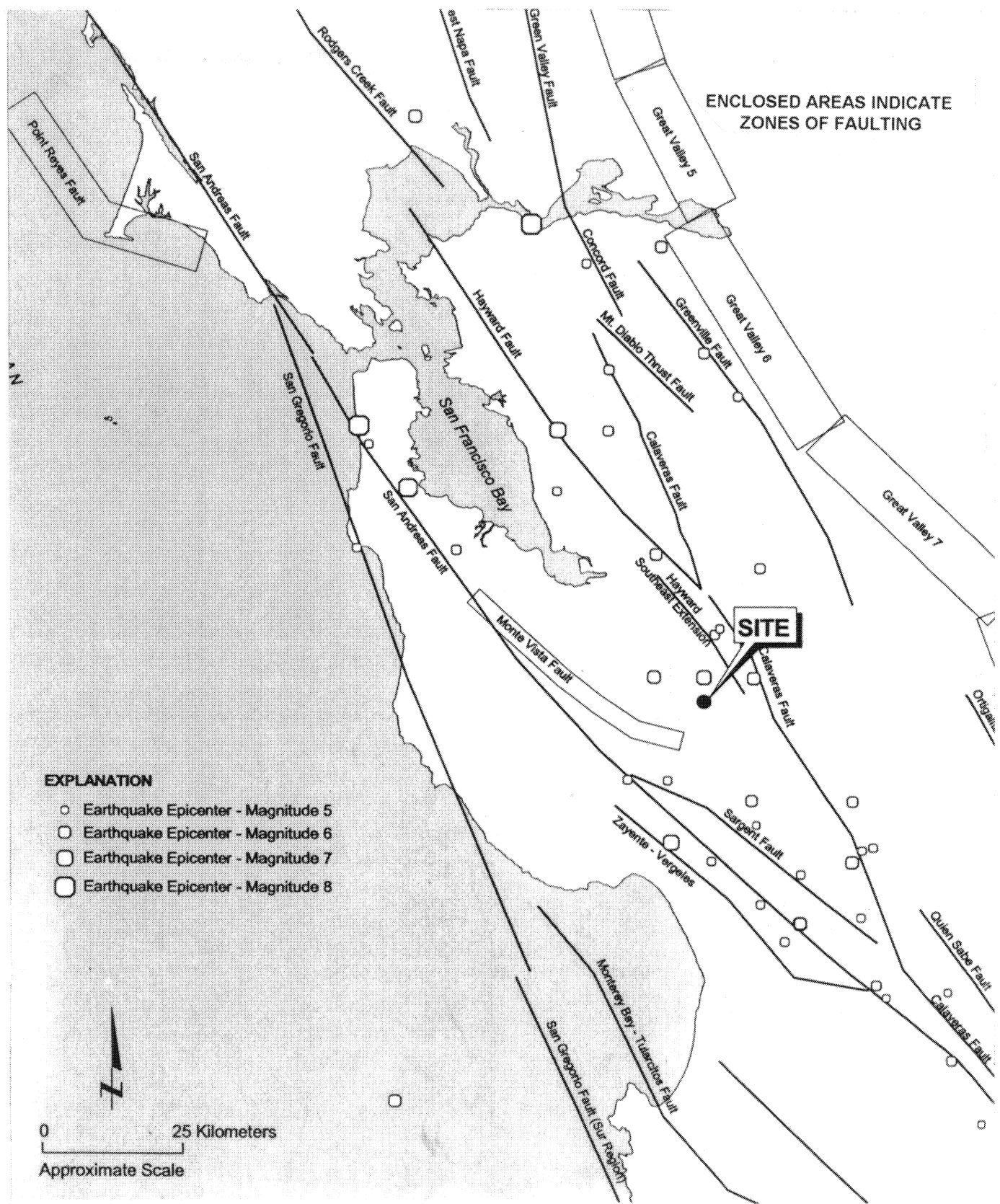
The project site is located in a seismically active part of northern California. Numerous earthquakes have been recorded in the region in the past, and moderate to large earthquakes can be expected in the future.

Fault Rupture

The project site is not located within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, nor is the site located in City of San José fault study zone. Since there is no evidence of active or potentially active faults traversing the site, the risk of fault offset or rupture at the site is low.

Ground Shaking

The major active faults in the area capable of producing strong ground shaking at the project site are the San Andreas, San Gregorio, Hayward, and Calaveras faults (see Figure 9). The Monte



MAJOR FAULT ZONES AND EARTHQUAKE EPICENTERS

SOURCE: TREADWELL & ROLLO

FIGURE 9

Vista fault, which has been mapped about 3.5 miles southwest of the project site, is considered to have a relatively low probability of producing an earthquake.

Table 2 lists the major faults, their distances from the project site, and the estimated maximum Moment Magnitude associated with each. (Moment Magnitude is an energy-based scale directly related to physical measures of earthquake size such as average slip rate and fault rupture length, while the Richter magnitude scale reflects the amplitude of a particular type of seismic wave.) The San Francisco Earthquake of 1906 had a Moment Magnitude of about 7.9, and the Loma Prieta Earthquake of 1989 had a Moment Magnitude of 6.9.

TABLE 2
REGIONAL FAULTS AND SEISMICITY

Fault	Distance (miles)	Direction from Site	Maximum Moment Magnitude
Hayward	4.5	Northeast	6.80
San Andreas	11.0	Southwest	7.15
Calaveras	6.5	East	6.55
San Gregorio	28.0	Southwest	7.34

In 1999, the Working Group on California Earthquake Probabilities (WGCEP) at USGS predicted a 70 percent probability of a magnitude 6.7 or greater earthquake occurring in the San Francisco Bay Area by the year 2030.

During a major earthquake on a segment of one of the nearby faults, strong to very strong shaking is expected to occur at the project site. Strong shaking during an earthquake can result in ground failure such as that associated with soil liquefaction, lateral spreading, and differential compaction, as discussed below.

Liquefaction

Soil liquefaction is a phenomenon in which loose, saturated, cohesionless soil experiences a temporary loss of strength during strong shaking or cyclic loading, as produced by earthquakes. This essentially transforms the soil to a liquid state (similar to quicksand), thereby causing sudden differential settlement of structures located above the liquefied soil. The greatest potential for liquefaction exists in cohesionless soils such as fine-grained sands and silts, that are loose, clean, uniformly graded and saturated by high groundwater.

The site is located in a zone of potential liquefaction as designated by the State of California on the "Seismic Hazard Zone Map, San José East Quadrangle," 17 January 2001. The subsurface exploration at the site conducted by Treadwell & Rollo found that the surface material at the site is generally stiff clay to a depth of about 20 feet, which is also at the high end of the range of groundwater levels measured at the site. This material is not liquefiable. However, the medium dense sand located below the groundwater level could liquefy during a strong earthquake. However, because the liquefiable sand is not continuous and is overlain by about 25 feet of non-liquefiable soil, the potential for ground surface disruption, such as lurch cracking and sand boils, would be low.

Lateral Spreading

Lateral spreading is the lateral displacement of flat-lying alluvial material toward an open area or “free” face such as a steep bank of a stream channel. These ground failures can be accompanied by considerable ground cracking, differential settlement, and eruption of sand boils. Due to the essentially level contours on the project site, and the absence of steep creek banks in the vicinity, there is almost no potential for lateral spreading at the site.

Differential Compaction

Differential compaction is a phenomenon where non-saturated, cohesionless soil is compacted in an non-uniform manner by earthquake vibrations, causing differential settlement of the near-surface soils. The substantial layer of clay that comprises the surface material at the site has a low potential for differential compaction.

2. Geology, Soils, and Seismicity Impacts

For purposes of this project, a geologic or seismic impact is considered significant if the project will:

- Be located on a site with geologic features which pose a substantial hazard to property and/or human life (e.g., through fault rupture, seismic shaking, liquefaction, ground failure, landsliding); or
- Expose people or property to major geologic hazards that cannot be mitigated through the use of standard engineering design and seismic safety techniques; or
- Require placement of public improvements and utilities at locations which will require extraordinary maintenance or operating effort; or
- Be located on expansive soil; or
- Cause substantial erosion, siltation, or loss of topsoil.

Soils and Geologic Hazards

Soils Expansion

The clays between one and six feet below the ground surface are moderately expansive, that is subject to shrinking and swelling during seasonal wetting and drying cycles. The resulting changes in soil volume can cause cracking of foundations and floor slabs. Because the groundwater levels are at least 20 feet below the ground surface, and typically lower, season groundwater fluctuations are unlikely to significantly affect the moisture content in the moderately expansive clay at shallow depths. However, surficial water could increase the moisture content in the near-surface soil.

The project plans indicate that engineered fill will be placed to raise the building pads. The planned use of non-expansive fill material will mitigate the effects of the expansive clays upon the building foundations and footings. In addition, to minimize the potential for water collection or ponding, the project plans indicate that all roof drainage will be conveyed via downspouts directly to the project underground storm drain system where it will be treated on-site in the proposed project underground treatment unit prior to discharge to the City storm drain system (see Section II. C. *Flooding, Drainage and Water Quality* for a detailed description of the treatment unit; an exhibit illustrating the treatment unit is contained in Appendix B). In addition,

positive surface drainage will be provided around the buildings to direct water away from building foundations.

- **The project, as proposed, would avoid potential structural damage resulting from soils expansion. (Less-than-Significant Impact)**

Seismic Hazards

The project will be constructed in accordance with the Uniform Building Code and San José Building Code requirements for Seismic Zone 4, and will follow the recommendations of the project geotechnical engineer with respect to grading, site preparation, and foundation engineering. This will reduce the potential impacts of seismic ground shaking to less-than-significant levels.

As discussed above under ‘Existing Setting,’ the site is located in a zone of potential liquefaction as designated by the State of California on the “Seismic Hazard Zone Map, San José East Quadrangle,” 17 January 2001. The subsurface exploration at the site conducted by Treadwell & Rollo found that the surface material at the site is generally stiff clay to a depth of about 20 feet, which is also at the high end of the range of groundwater levels measured at the site. This material is not liquefiable. However, the medium dense sand located below the groundwater level could liquefy during a strong earthquake. However, because the liquefiable sand is not continuous and is overlain by about 25 feet of non-liquefiable soil, the potential for ground surface disruption, such as lurch cracking and sand boils, would be low. Nevertheless, because the project site lies within a State of California Seismic Hazard Zone for liquefaction, a final soil investigation report addressing liquefaction will be reviewed and approved by the City of San José as required prior to issuance of a grading permit or Public Works Clearance. This investigation will be consistent with the guidelines published by the State of California (CDMG Special Publication 117) and the Southern California Earthquake Center report (“SCEC” report). A recommended depth of 50 feet will be explored and evaluated in the investigation.

As discussed above under ‘Existing Setting,’ the project site is not subject to fault rupture, lateral spreading, differential compaction or other seismic hazards. Therefore, the project will not be subject to significant impacts due to these seismic hazards.

- **Development of the project, as proposed, would not expose structures and occupants to significant seismic impacts. (Less-than-Significant Impact)**

3. Mitigation Measures

- With the development of the project in accordance with building code requirements and the design recommendations of the project geotechnical engineer, no mitigation measures are required or recommended.

Conclusion: The project would not result in significant geology and soils impacts. **(Less-than-Significant Impact)**

[Note: Erosion and siltation impacts are addressed in Section II. C. *Flooding, Drainage, and Water Quality.*]

C. FLOODING, DRAINAGE, AND WATER QUALITY

1. Existing Setting

The project site is located at the eastern edge of the Guadalupe River watershed, which drains an area of 170 square miles the central and southern portions of San José and adjoining cities and unincorporated areas to the southwest. The site is in the drainage area of Canoas Creek, which originates at Cottle Road approximately one mile south of the site and flows in a westerly/northwesterly direction to its confluence with the Guadalupe River approximately 7.5 miles downstream near Communications Hill. The creek has been channelized along its entire length with a combination concrete-lined bottom and sides and/or concrete bottom with earthen sides, and is used exclusively as a storm drainage facility. Both the Guadalupe River and Canoas Creek are prone to overspilling their banks in places during 100-year flood events. At some locations, Canoas Creek will overtop and flood neighborhoods during a less than 10-year event. Projects to increase channel capacity are currently being constructed by the Santa Clara Valley Water District (SCVWD) along segments of both the Guadalupe River and Canoas Creek in the vicinity of Communications Hill. Additionally, the U.S. Army Corps of Engineers is currently constructing substantial channel improvements on the Guadalupe River through downtown San José.

Flooding

According to the current Flood Insurance Rate Map (FIRM) covering the project site (Panel 060349 044D), dated August 2, 1982, the site is not located in a flood hazard area. The map states that the project site lies within Zone D, an “area of undetermined, but possible, flood hazards.” The nearest areas prone to flooding during a 100-year event are along the banks of Coyote Creek located one-half mile to the northeast in a different watershed. Flooding associated with Coyote Creek can result in sheet flows to a depth of one foot in the residential area southeast of Ford Road between Monterey Road and U.S. 101.

The project site is subject to inundation in the event of failure of Anderson Dam located 12 miles upstream on Coyote Creek. However, the dam has been designed and constructed to withstand a maximum credible earthquake of magnitude 8.3 on the San Andreas fault and 6.9 on the Calaveras fault. In addition, the dam is inspected twice annually in the presence of regulatory staff from the California Division of Safety of Dams and/or the Federal Energy Regulatory Commission. Therefore, while inundation resulting from dam failure could result in damage to project structures, the probability of such failure is very remote, and is not considered a significant hazard (Volpe, SCVWD).

Drainage

The project site is served by two main storm drainage systems. The southeast portion of the site (approximately 40 percent of the project area) drains to a private system on the Hitachi campus where it is conveyed by 12-inch to 36-inch pipes east and south to the City of San José system before being discharged into Canoas Creek. Drainage from the northern and western portions of the project site is discharged to a 12-inch City of San José storm drain in Cottle Road and conveyed via a 36-inch pipe to a 48-inch pipe in Blossom Hill Road, which carries the flow west to Canoas Creek. Existing peak stormwater runoff rates from the project site are 23.29 cubic feet per second (cfs) during the 10-year storm event and 29.81 cfs during the 100-year event.

Water Quality

The Guadalupe River watershed is occupied by a variety of land uses which each discharge different types of contaminants in their stormwater runoff. The primary non-point source contaminants reaching the Guadalupe River include metals, suspended sediments, and organic matter.

Under existing conditions, the project site is occupied by vacant research buildings, parking areas, and landscaping. Since the parking lot is currently at a very low level of use, the on-site pollutant loadings associated with automobiles (e.g., petroleum products and heavy metals) are likely to be low relative to occupied conditions. Thus the main surface water contaminants originating from the site are likely to be sediments, organic debris, and pesticides from the landscaped areas.

The groundwater beneath the Hitachi campus is contaminated with Volatile Organic Compounds (VOCs) originating from past manufacturing activity at the facility. As discussed in detail in Section II. K. *Hazards and Hazardous Materials*, this groundwater contamination plume does not pose a potential hazard to the proposed project.

2. Flooding, Drainage, and Water Quality Impacts

For purposes of this project, a flooding, drainage, and water quality impact is considered significant if the project will:

- Substantially degrade or deplete groundwater resources or interfere with groundwater recharge; or
- Substantially alter drainage patterns due to changes in runoff volumes and flow rates; or
- Significantly increase peak stormwater runoff in a manner which would result in flooding on- or off-site or substantially exceed the capacity of existing or planned storm water drainage systems; or
- Increase the risk of flood-related property damage or hazard to human life from the 100-year flood event; or
- Substantially impede or redirect flood flows; or
- Substantially increase stormwater pollution discharges to stormwater systems; or
- Substantially degrade surface or groundwater quality.

Flooding and Storm Drainage Impacts

The proposed project will increase the amount of impervious surface coverage on the site relative to existing conditions. This will increase peak runoff rates which could result in increased flowrates and volumes of stormwater discharged from the site. The peak runoff rates for the 10-year and 100-year storm events under the developed condition will be 23.29 cfs and 31.32 cfs, respectively, which both represent a five percent increase over existing conditions. Unless mitigated, these increases in peak flow rates could exacerbate downstream flooding conditions on Canoas Creek and the Guadalupe River.

Stormwater generated at the site will be collected, conveyed, and discharged by a combination of facilities. In the northwestern 12.5 acres of the site, runoff will surface drain through the parking areas to vegetated swales along the northern and western site boundaries. This stormwater will be discharged via two outfalls to existing 12-inch and 15-inch City of San José storm drains in Cottle Road. Along the eastern and southern 6.3 acres of the site, roof and surface drainage will be conveyed to storm drain inlets along the project perimeter and routed to a underground

stormwater treatment unit near the southwest corner of the project. The treated runoff will then be discharged to the existing 15-inch City of San José storm drain in Cottle Road.

Peak stormwater flow rates will be maintained at pre-project levels or better through on-site detention of excess stormwater flows. This will be accomplished for the 10-year event by restricting the size of the inlet openings to limit the release of water. Flows in excess of the 10-year event will be allowed to pond, to a maximum depth of one foot, in the parking lot, and landscaped areas of the project site, and in the vegetated swales along the site perimeter which will be designed to detain runoff (the vegetated swales, or bioswales, are depicted on Figures 5, 6, and 7, with a cross-section detail shown on the bottom of Figure 6). It is estimated by the project engineer that runoff volumes produced by up to a 50-year storm event would be detained on site. This will also maintain 100-year runoff rates and volumes from the project to less than pre-development levels (Heinrichsen, pers. comm.). The project will be graded so that when the design ponding elevation is exceeded, water will flow overland toward Cottle Road where it will pond along the gutters and gradually drain to the City's storm drain system. The remainder of the ponded water on the site will gradually drain to the project storm drain system which will act to further delay and attenuate peak flows. The building pads on the site will be raised such that the finished floor elevations are above the maximum ponding elevations. (The Storm Drainage Mitigation Plan for the project is included in the Hydrology and Drainage Report in Appendix B of this EIR.)

- **The project storm drainage system will be designed to accommodate the increased runoff from the project such that stormwater discharges from the project site will not exceed pre-development peak runoff rates. Therefore, the project would not result in a significant flooding and drainage impact. (Less-than-Significant Impact)**

Water Quality Impacts

<i>Construction</i>	<i>Phase</i>	<i>Impacts</i>
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During site clearance, grading, and construction, erosion of exposed soils and pollutants from equipment may result in water quality impacts to downstream water bodies. Increased sediment loads may adversely affect aquatic habitats. This condition is somewhat alleviated by the extremely flat topography of the site, which would tend to reduce flow velocities and sediment transport.

The development of the project site would require substantial soil disturbance during demolition and pavement removal, site regrading, and excavation for utilities. While soils are exposed, the potential for erosion and sedimentation would be high.

Discharge of hydrocarbons and other toxic substances can also occur during the construction phase if fuels, oils or washwater from equipment washing or sanitary facilities leak or are spilled. These pollutants would potentially be carried by runoff to downstream water bodies.

Post-Construction Water Quality Impacts

The project would generate water quality contaminants which could be carried downstream in stormwater runoff from paved surfaces of the site. Since the site is now unoccupied and there is little or no regular activity at the site, runoff from the site probably does not contain many of the pollutants generally associated with urban non-point source pollution such as oil and grease from automobiles and heavy metals associated with automobile tires and brake pads. Also, the occurrence of trash is probably much reduced due to the lack of human activity. Once the project becomes operational, the level of pollutants in the non-point source runoff could increase

substantially. The parking and circulation areas of the project would accumulate petroleum derivatives and heavy metals from motor vehicles, as well as sediments, trash, and assorted chemicals, which would be flushed into the drainage system during rain storms. Landscape maintenance activities would result in potential surface water contamination if pesticides, herbicides, or chemical fertilizers are used on the site and are allowed to come into contact with stormwater runoff.

The proposed project would implement routine practices to reduce potential surface water contamination. These would include regular parking lot sweeping with a mechanical wet sweeper; regular maintenance and cleaning of storm drain catch basins; litter control; and good housekeeping in the loading dock area.

In addition, approximately 65 percent of the stormwater generated at the site would flow through vegetated swales which would capture a portion of the non-point source pollutants prior to discharge into the City's storm drainage system (the vegetated swales, or bioswales, are depicted on Figures 5, 6, and 7, with a cross-section detail shown on the bottom of Figure 6). The remaining 35 percent of the project stormwater would be conveyed via underground pipes to a buried manufactured stormwater treatment unit located near the southeast corner of the site. This treatment unit would meet the Regional Board's Order No. 01-024, Provision C-3 treatment criteria which require treatment of stormwater runoff equal to approximately the 85th percentile 24-hour storm event. The treatment unit would meet this capacity requirement and would provide treatment efficiencies of up to 80 percent for suspended solids, up to 90 percent for oil and grease, and up to 98 percent for settleables and floatables. (A graphic illustration of the stormwater treatment unit is provided with the hydrology report in Appendix B of this EIR.) The treatment unit would be subject to detailed maintenance requirements, including inspections at least once per month during the rainfall season. The floatables would be removed and the sump cleaned whenever the sump becomes 75 to 85 percent full. At the end of the rainfall season, the treatment unit would be pumped down by vacuum truck and a thorough inspection of the separation chamber and oil baffle would be performed, with any maintenance and repairs performed as necessary.

- **During both the construction and operational phases, the proposed project would potentially contribute contaminants to stormwater runoff which could adversely affect the water quality of Canoas Creek and the Guadalupe River. (Significant Impact)**

3. Mitigation Measures

Flooding and Storm Drainage

The proposed project would not result in significant flooding or storm drainage impacts, and therefore no mitigation is necessary or proposed.

Water Quality

- The project will comply with the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity, as administered by the Regional Water Quality Control Board. Prior to construction grading for the project, the applicant will file a "Notice of Intent" (NOI) with the State Water Resources Control Board to comply with the General Permit and prepare a Storm Water Pollution Prevention Plan (SWPPP) which addresses measures to be included in the project to minimize and control runoff during both the construction and post-construction periods. The SWPPP will be submitted to the City of San José Department of Public Works.

- Control measures to be implemented during the construction period include: soil stabilization practices, sediment control practices, sediment tracking control practices, wind erosion control practices, and non-stormwater management and waste management and disposal control practices.
- The project will also include provision for post-construction structural controls where feasible, and shall employ Best Management Practices (BMPs) for reducing contamination in stormwater runoff as permanent features of the project. The project site plan includes vegetated swales along a portion of the site perimeter to filter a portion of site runoff, and a manufactured stormwater treatment unit to treat runoff from the remainder of the site prior to discharge into the City's storm drain system. (The treatment unit would be subject to regular inspections, clean out, and maintenance as specified by the manufacturer.)
- As part of the mitigation for post-construction runoff impacts addressed in the SWPPP, the project will implement regular maintenance activities (e.g., damp sweeping, cleaning storm drain inlets, litter control) at the site to prevent soil, grease, and litter from accumulating on the project site and contaminating surface runoff. Storm water catch basins will be stenciled to discourage illegal dumping.
- Additional measures may need to be incorporated into the site design to address the Provision C-3 requirements for hydromodification management when an HMP has been finalized by SCVURPPP and approved by the RWQCB.

Conclusion: With the implementation of the mitigation measures specified above, potential water quality impacts resulting from the project would be reduced to a less-than-significant level. **(Less-than-Significant Impact with Mitigation)**

D. BIOLOGICAL RESOURCES

The following discussion is primarily based on the biological impact assessment of the project prepared by Live Oak Associates (LOA) in August 2003. This discussion also relies on the findings of the bat survey report prepared by Wildlife Research Associates in July 2003, and the results of the tree survey prepared by Wetland Research Associates (WRA) in January 2003. All three reports are contained in Appendix C and D of this EIR.

1. Existing Setting

The project site contains several vacant buildings, a parking lot, and landscaping. Approximately 1/5 of the parcel supports cultivated turf and landscape trees, primarily conifers). There are a total of 454 trees on the site, of which 164 are ordinance-sized and 24 are native to Santa Clara Valley (discussed in detail under “Trees” below).

Habitats

Developed/Landscaped

The only habitat type found on the site is the “Developed/Landscaped” habitat type (there is no ruderal habitat on the site). The vacant buildings in the central and western portion of the site are landscaped with a variety of trees, shrubs, and grasses which were planted several decades ago with the construction of the IBM research facilities. The landscaping consists predominantly of non-native species, with native oaks and walnuts totaling 24 individuals, or approximately 5 percent of the total trees on-site. The predominant tree species that do not occur naturally in the Santa Clara Valley include deodar cedar and redwood, which comprise over half the trees on the site, and which are primarily concentrated along the western and northern edges of the site, with a cluster of redwoods also occurring at the southeast corner of the site. (Although redwood is a native California species, it is not considered native or endemic to the Santa Clara Valley.) The parking area in the eastern portion of the site is planted primarily with olive trees. The trees on the site are described in detail under “Trees” below.

The on-site trees may provide nesting habitat for common bird species adapted to urban settings such as western scrub jay, northern mockingbird, Anna’s hummingbird, and mourning dove. The taller trees on the site could potentially be used for nesting by raptors such as red-tailed hawks (but not Cooper’s hawks), although no raptor nests were found during the biological field surveys (see also “Nesting Raptors” below). In addition, it is unlikely that a hawk would nest in an urbanized setting such as the site presents, since they prefer nesting sites with abundant adjacent foraging habitat (e.g., open grasslands). The developed/landscaped habitat found on the site is also commonly used by small mammals adapted to urban environments such as Botta’s pocket gopher or California ground squirrel, although no burrows were found during biological field surveys of the site.

Sensitive or Regulated Habitats

The project site does not support sensitive or regulated habitats such as wetlands or riparian habitats. As such, there are no areas that would fall under the jurisdiction of the U.S. Army Corps of Engineers (which regulates wetland resources under Section 404 of the Clean Water Act), Regional Water Quality Control Board which regulates wetland resources under Section 401 of the Clean Water Act), California Department of Fish and Game (which regulates alterations to streams through Section 1601-1603 Streambed Alteration Agreements), and the City of San José’s Riparian Policy. None of the above federal, state and local laws or regulations

pertaining to regulated habitats applies to this site as the resources that would be regulated by these agencies are completely absent from the site.

Special-Status Plants and Animals

Several species of plants and animals within the state of California have low populations, limited distributions, or both. Such species may be considered “rare” and are vulnerable to extirpation as the state’s human population grows and the habitats these species occupy are converted to agricultural and urban uses. As described more fully below, state and federal laws have provided the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting the diversity of plant and animal species native to the state. A number of native plants and animals have been formally designated as threatened or endangered under state and federal endangered species legislation. Others have been designated as “candidates” for such listing; still others have been designated as “species of special concern” by the CDFG. The California Native Plant Society (CNPS) has developed its own set of lists of native plants considered rare, threatened or endangered (CNPS 2001). Collectively, these plants and animals are referred to as “special-status species.”

Special-Status Plant Species

A number of special-status plants and animals occur in the general vicinity of the study area. Table 3 lists special-status species known to occur in the vicinity. Since the site is completely developed with buildings, parking lots, and landscaping, none of the special-status plant species that occur in the region (particularly serpentine endemics) would occur on site. Therefore, Table 3 does not list or discuss these plant species, as there is no possibility they would occur on site.

Special-Status Animal Species

The site is also expected to be generally absent of special-status animal species, since it is fully developed with urban uses; however, there is potential for certain bat species to be present, as discussed below. In addition, terrestrial vertebrates can sometimes be found in highly urbanized areas. Table 3 evaluates the potential for special-status animal species that are present in the region to occur on or adjacent to the site.

Bats

It is possible, though unlikely, that special-status bat species (e.g., Townsend’s big-eared bat, the California mastiff bat, and the pallid bat) could roost in portions of the vacant buildings or in any on-site trees with cavities. To investigate this potential, a biological survey focused specifically on bats was conducted on the site in February 2003 by Wildlife Research Associates. The bat survey found that there is no evidence of past or present use of the existing buildings or trees on the site by roosting bats. The study report noted that due to the generally tight construction of the buildings, there is a low potential for bats to occupy the buildings prior to demolition. However, the mansard roofs on Buildings 024 and 030 are covered with wood shakes containing numerous gaps which could be used for bat roosting. Also, none of the on-site trees was identified as containing suitable cavities or fissures for bat roosting, although roosting could still occur in the redwoods or oak trees on the site.

TABLE 3

SPECIAL-STATUS ANIMAL SPECIES THAT MAY OCCUR IN THE VICINITY

Species Listed as Threatened or Endangered under the State and/or Federal Endangered Species Act

Species	Status	Habitat	*Occurrence in the Study Area
California Red-legged Frog (<i>Rana aurora draytonii</i>)	FT, CSC	Rivers, creeks and stock ponds of the Sierra foothills and coast range, preferring pools with overhanging vegetation.	Absent. Wetlands are completely lacking from the site. Thus, no suitable habitat for this species exists on site.
Peregrine Falcon (<i>Falco peregrinus</i>)	FE, CE	Individuals breed on cliffs in the Sierra or in coastal habitats; occurs in many habitats of the state during migration and winter.	Absent. While this species may forage in many habitats in the region, there is simply no habitat for it to forage on site.

Federal Candidate Species and State Species of Special Concern

Species	Status	Habitat	*Occurrence in the Study Area
California Tiger Salamander (<i>Ambystoma californiense</i>)	FC, CSC	Vernal pools and stock ponds of central California.	Absent. Wetlands are completely lacking on site and no suitable breeding ponds occur on adjacent parcels. Therefore, no suitable breeding or estivation habitat exists for this species on site.
Foothill Yellow-legged Frog (<i>Rana boylei</i>)	CSC	Found primarily in swiftly flowing creeks.	Absent. Wetlands are completely lacking from the site. Thus, no suitable habitat for this species exists on site.
Western Pond Turtle (<i>Clemmys marmorata</i>)	CSC	Open slow-moving water of rivers and creeks of central California with rocks and logs for basking.	Absent. Wetlands are completely lacking from the site. Thus, no suitable habitat for this species exists on site.
White-tailed Kite (<i>Elanus caeruleus</i>)	CSC	Open grasslands and agricultural areas throughout central California.	Unlikely. Marginal to fair foraging and breeding habitat occurs on site.
Northern Harrier (<i>Circus cyaneus</i>)	CSC	Frequents meadows, grasslands, open rangelands, freshwater emergent wetlands; uncommon in wooded habitats.	Absent. The site provides no foraging or breeding habitat.
Sharp-shinned Hawk (<i>Accipiter striatus</i>)	CSC	Breeds in the mixed conifer forests of the northern Sierra Nevada. This species winters in a variety of habitats of the state.	Absent. No suitable nesting or foraging habitat exists on site.
Cooper's Hawk (<i>Accipiter cooperii</i>)	CSC	Breeds in oak woodlands, riparian forests and mixed conifer forests of the Sierra Nevada, but winters in a variety of lowland habitats.	Absent. No suitable nesting and marginal foraging habitat exists on site.
Golden Eagle (<i>Aquila chrysaetos</i>)	CSC	Typically frequents rolling foothills, mountain areas, sage-juniper flats and desert.	Unlikely. Marginal foraging and nesting habitat exists on or adjacent to the site.

TABLE 3 (CONT'D)

SPECIAL-STATUS ANIMAL SPECIES THAT MAY OCCUR IN THE VICINITY

Federal Candidate Species and State Species of Special Concern

Species	Status	Habitat	*Occurrence in the Study Area
Merlin (<i>Falco columbarius</i>)	CSC	This falcon, which breeds in Canada, winters in a variety of California habitats, including grasslands, savannahs, wetlands, etc.	Absent. No suitable habitat on site. At best a rare transient.
Burrowing Owl (<i>Athene cunicularia</i>)	CSC	Found in open, dry grasslands, deserts and ruderal areas. Requires suitable burrows. This species is often associated with California ground squirrels.	Absent. No suitable habitat (i.e., the site lacks burrows) exists on site for this species.
California Horned Lark (<i>Eremophila alpestris actia</i>)	CSC	Short-grass prairie, annual grasslands, coastal plains, open fields.	Absent. The site lacks suitable foraging and nesting habitat. This species is not expected to forage in the landscape areas on site.
Loggerhead Shrike (<i>Lanius ludovicianus</i>)	CSC	Nests in tall shrubs and dense trees, forages in grasslands, marshes, and ruderal habitats.	Unlikely. The site supports only marginal foraging or breeding habitat for this species.
Townsend's Big-eared Bat (<i>Plecotus townsendii townsendii</i>)	CSC	Primarily a cave-dwelling bat that may also roost in buildings. Occurs in a variety of habitats of the state.	Unlikely. Only marginal foraging or roosting (vacant buildings) occurs on site for this species.
California Mastiff Bat (<i>Eumops perotis californicus</i>)	CSC	Forages over many habitats, requires tall cliffs or buildings for roosting.	Unlikely. Only marginal foraging habitat occurs on-site for this species. Although vacant buildings are present on-site, they are not considered tall enough for this species to utilize as roosting sites.
Pallid Bat (<i>Antrozous pallidus</i>)	CSC	Grasslands, chaparral, woodlands, and forests of California; most common in dry rocky open areas providing roosting opportunities.	Absent. No potential foraging or roosting habitat on site.

*Present: Species observed on the site at time of field surveys or during recent past.

Likely: Species not observed on the site, but it may reasonably be expected to occur there on a regular basis.

Possible: Species not observed on the site, but it could occur there from time to time.

Unlikely: Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient

Absent: Species not observed on the site, and precluded from occurring there because habitat requirements not met.

STATUS CODES

FE Federally Endangered

FT Federally Threatened

FPE Federally Endangered (Proposed)

FC Federal Candidate

CE California Endangered

CT California Threatened

CR California Rare

CSC California Species of Special Concern

Burrowing Owl

The burrowing owl has a possibility of occurring on the project site. The burrowing owl is a ground-nesting owl whose populations have declined precipitously in the South Bay over the last 20 years due primarily to urban development. Impacts to the remaining suitable habitat for this species are of great concern to the City of San José and the resource agencies. An essential element of burrowing owl habitat is the presence of California ground squirrel burrows where the owls make their nests. No ground squirrel burrows were found on the site; therefore, the site lacks any suitable habitat for the species.

Trees

The City of San José Tree Removal Controls (San José City Code, sections 13.31.010 to 13.32.100) serve to protect all trees having trunks that measure 56 inches or more in circumference (18 inches in diameter), as measured two feet above natural grade. The ordinance covers both native and non-native species. A tree removal permit is required from the City of San José for the removal of ordinance-sized trees. Additionally, any tree found by the City Council to have special significance can be designated as a Heritage Tree, regardless of tree size or species. It is unlawful to vandalize, mutilate, remove, or destroy such heritage trees. In addition, the City of San José requires, prior to the issuance of any approval or permit for construction of any improvement of the project site, that all trees on the project site be inventoried and categorized according to size, species, and location.

A tree survey was conducted on the site by Wetland Research Associates in January 2003. All native and non-native trees measuring 56 inches or more in circumference (or 18 inches in diameter) at a height of 24 inches above natural grade were identified as ordinance-sized trees in accordance with the City of San José Tree Removal Controls. None of the trees on the project site have been designated as Heritage Trees by the City of San José.

The tree survey identified a total of 454 trees on the 18.75-acre site, all of which were planted as part of the landscaping for the former IBM buildings on the site. These trees range in diameter from one inch to a 76-inch eucalyptus, and 164 trees are classified as ordinance-sized trees under the City of San José Tree Removal Ordinance (of which 117 are proposed for removal). The site includes 24 trees which are native to California and are also endemic to Santa Clara Valley, all of which are proposed to be retained. These include 20 coast live oaks, and 4 California walnuts. Five of the coast live oaks and none of the walnut trees are ordinance sized. There are 25 non-locally-native tree species present, with deodar cedar and redwood comprising more than half the trees on the site (although redwood is a California native, it does not occur locally under natural conditions). Other notable non-native tree species on the site, in the order of the numbers present, include Italian cypress, crabapple, privet, olive, podocarpus, eucalyptus, camphor, evergreen pear, and liquidamber. There is also a notable 40-inch diameter (127-inch circumference) cork oak (*Quercus suber*) located in the northwest area of the site. All but eight of the existing trees on the site are in good condition. The results of the tree survey are summarized in Table 4. The full tree survey, including tree map and inventory, is contained in Appendix D of this EIR.

TABLE 4
SUMMARY OF TREE SURVEY RESULTS

Common Name	Diameter at 24" Above Grade			
	≤12.0"	12.0"-17.9"	≥18.0"	Total
Locally-Endemic California Native Trees				
Coast live oak	12	3	5	20
California walnut	4	0	0	4
Subtotal Local Natives	16	3	5	24
Non-Locally-Endemic California Native Trees				
Redwood	22	24	63	109
Subtotal Non-Local Natives	22	24	63	109
Non-California-Native Trees				
Deodar cedar	42	34	51	127
Italian cypress	31	0	0	31
Crabapple	18	6	0	24
Privet	22	2	0	24
Olive	1	3	18	22
Podocarpus	21	0	0	21
Eucalyptus	2	0	13	15
Camphor	1	7	2	10
Evergreen pear	10	0	0	10
Liquidamber	5	2	2	9
Magnolia	1	1	3	5
Birch	0	1	2	3
English Oak	1	0	2	3
Palm tree	0	2	1	3
Beech	1	0	1	2
Japanese maple	1	1	0	2
Lemon	1	1	0	2
Crepe myrtle	2	0	0	2
Cork oak	0	0	1	1
Photinia	1	0	0	1
Strawberry tree	1	0	0	1
Peruvian pepper	1	0	0	1
Ginkgo	1	0	0	1
Apple	1	0	0	1
Subtotal Non-Natives	165	60	96	321
Totals	203	87	164	454

Source: Wetland Research Associates, 2003.

Nesting Raptors

Although there are several trees that are tall enough to support raptor nests, no stick nests, which would indicate evidence of nesting/breeding in the recent past, were observed during site visits by Live Oak Associates. However, there is still some potential (albeit small) for some species of raptors to nest in these trees in the future. It should be noted, however, that raptors are not typically found nesting in urban settings.

2. Vegetation and Wildlife Impacts

For purposes of this project, a biological resources impact is considered significant if the project would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;

Impacts to Developed/Landscaped Habitat

The existing landscaping on the site would largely be removed for the project. Although new landscaping would be planted on the site, the overall area of landscaping would not be as large as exists under current conditions. The birds and mammal species that currently occur on the site would be temporarily displaced pending the establishment of the new landscaping. However, these species are well adapted to the urban environment and would be expected to find replacement habitat nearby, although some individuals may be lost. The loss of this marginal habitat and the potential loss of individuals of the common wildlife species that occur at the site would not represent a significant impact to wildlife.

- **The redevelopment of the project site would not result in significant impacts to wildlife habitat. (Less-than-Significant Impact)**

Impacts to Special-Status Species

Special-Status Plant Species

As previously noted, the site is mostly developed and lacks any habitat for special-status plant species. Therefore, the project will not have a significant impact on any special-status plant species.

Special-Status Animal Species

With the potential exception of the Townsend's big-eared bat, the California mastiff bat, and the pallid bat (discussed below), none of the special-status animal species listed in Table 3 would occur on-site as the site does not support habitat for these species. The project is not expected to result in significant direct or indirect impacts to any non-bat special status animal species listed in Table 3.

The site has no value as a wildlife movement corridor. The limited vegetation does not operate in any feasible way to facilitate wildlife movement through the site or region and no regional landscape linkages (areas of natural habitat that link two or more habitat patches) occur in the immediate vicinity of the site. Furthermore, the site is not considered important habitat for resident or migratory bird species. Therefore, the proposed redevelopment of this site is not expected to interfere with movement of native wildlife.

Although the focused bat survey found that there is no evidence of past or present use of the existing buildings or trees on the site by roosting bats, there is some potential for bat roosting to occur on the site prior to demolition and tree removal. In particular, there is a potential for bat roosting in the numerous gaps in the wood shakes on the mansard roofs on Buildings 024 and 030. Also, roosting could occur in the redwoods or oak trees on the site. If such bat roosting does occur, the demolition of the existing buildings and removal of trees could result in harm or injury to special-status bats, which would be considered a significant impact.

The burrowing owl has a possibility of occurring on the project site. Since no ground squirrel burrows were found on the site during the February 2003 surveys by LOA, the site lacks any suitable habitat for the species. However, in the unlikely event that squirrel burrows are established and subsequently colonized by burrowing owls, the project could result in a potentially significant impact to the burrowing owl.

- **Redevelopment of the project site could result in significant impacts to special-status bat species and burrowing owls. (Significant Impact)**

Impacts to Active Raptor Nests

Although no evidence of nesting raptors was found during site surveys by Live Oak Associates, there is still some potential (albeit small) for some species of raptors to nest in the on-site trees in the future. It should be noted, however, that raptors are not typically found nesting in urban settings. Construction activities occurring during the breeding season (February through July) could result in the abandonment of active nests (if any are present) or direct mortality to these birds. Construction activities that adversely affect nesting (even off site), or result in mortality of individual birds, would be a violation of state and federal law. Therefore, the project may result in a potentially significant impact to nesting raptors.

- **Redevelopment of the project site could result in significant impacts to raptor nests which could be established on-site prior to site development activities. (Significant Impact)**

Impacts to Existing Trees

As shown in Table 5, the proposed project would result in the removal of 365 of the 454 existing trees on the project site (156 ordinance-sized and 209 less than ordinance-sized), and 89 trees would be retained and incorporated into the project landscaping.

TABLE 5
PROPOSED TREE REMOVAL AND RETENTION

Common Name	Ordinance-Sized		Non-Ordinance-Sized	
	Remove	Retain	Remove	Retain
Locally-Endemic Calif. Native Trees				
Coast live oak	0	5	0	15
California walnut	0	0	0	4
Subtotal Locally-Endemic Natives	0	5	0	19
Non-Locally-Endemic Cal. Native Trees				
Redwood	39	24	36	10
Subtotal Non-Locally-Endemic Natives	39	24	36	10
Non-Native Trees				
Deodar cedar	74	17	35	1
Italian cypress	0	0	28	3
Crabapple	0	0	24	0
Privet	0	0	24	0
Olive	18	0	4	0
Podocarpus	0	0	21	0
Eucalyptus	13	0	2	0
Camphor	1	7	0	2
Evergreen pear	0	0	10	0
Liquidamber	2	0	7	0
Magnolia	3	0	2	0
Birch	2	0	1	0
English Oak	2	0	1	0
Palm tree	1	0	2	0
Beech	1	0	1	0
Japanese maple	0	0	2	0
Lemon	0	0	2	0
Crepe myrtle	0	0	2	0
Cork oak	0	1	0	0
Photinia	0	0	1	0
Strawberry tree	0	0	1	0
Peruvian pepper	0	0	1	0
Ginkgo	0	0	1	0
Apple	0	0	1	0
SubTotal Non-Natives	117	25	173	6
Totals	156	54	209	35

Sources: 1) Tree Survey by Wetland Research Associates (contained in Appendix D of this EIR)
2) Conceptual Landscape Plan (shown in Figure 7A of this EIR).

The proposed removal of the majority of the existing on-site ordinance-sized trees represents a significant impact. The project landscaping plan, which includes the planting of 197 trees (in addition to the 89 existing trees to be retained), more than 1,000 shrubs, and various groundcovers, would partially compensate for the removal of the remaining trees. Table 8 presents the number trees to be planted by species and size.

As shown in Table 6, 54 of the trees to be retained would be ordinance-sized and 35 trees would be less than ordinance-sized. A total of 82 trees would be preserved in place and 7 trees (all non-ordinance-sized) would be relocated within the site (including 4 coast live oaks and 3 California walnuts).

TABLE 6
SUMMARY OF TREES TO BE RETAINED

Species	Ordinance-Sized Trees		Non-Ordinance-Sized Trees		Totals
	Preserved in Place	Relocated within Project	Preserved in Place	Relocated within Project	
Coast Live Oak	5	0	11	4	20
California Walnut	0	0	1	3	4
Redwood	24	0	10	0	34
Deodar Cedar	17	0	1	0	18
Camphor	7	0	2	0	9
Italian Cypress	0	0	3	0	3
Cork Oak	1	0	0	0	1
Totals	54	0	28	7	89

The retained trees include all 24 of the locally-endemic California native trees on the site, including 20 coast live oaks (of which 5 are ordinance-sized), and 4 California walnuts (none of which is ordinance-sized). The 65 non-locally-endemic trees to be retained consist of 34 redwoods (California native but not locally endemic), 18 deodar cedars, 9 camphors, 3 Italian cypresses, and the single 40-inch diameter cork oak. These include 59 ordinance-sized trees and 6 non-ordinance-sized trees.

Table 7 presents a detailed list of all retained trees, including information on their size, condition, proposed preservation or relocation within the project site, and existing and proposed ground elevations.

The 89 trees to be preserved and incorporated into the project could be subject to impacts during the course of grading and construction activities in the vicinity of these trees. Unless proper avoidance measures are implemented, these trees and their root systems could be injured or damaged during site clearance and recontouring, excavation for utilities and drainage and irrigation lines, paving of parking and circulation areas, and building construction.

TABLE 7
DETAILED INFORMATION ON TREES TO BE RETAINED

Tree No. ¹	Species ¹	(inches)	Condition ¹	To be Preserved or Relocated On-Site ²	Ground Elevation ³
2	Camphor	17	Good	Preserve	192.0
3	Camphor	19	Good	Preserve	191.9
30	Redwood	19	Good	Preserve	190.6
31	Redwood	19	Good	Preserve	190.1
32	Redwood	19	Good	Preserve	190.7
33	Redwood	19	Good	Preserve	191.0
34	Redwood	19	Good	Preserve	191.0
35	Redwood	19	Good	Preserve	191.2
36	Redwood	19	Good	Preserve	191.2
37	Redwood	19	Good	Preserve	190.8
38	Redwood	19	Good	Preserve	190.8
39	Redwood	19	Good	Preserve	191.2
40	Redwood	49	Good	Preserve	191.6
41	Redwood	19	Good	Preserve	190.9
42	Redwood	19	Good	Preserve	192.5
71	Deodar cedar	26	Good	Preserve	190.5
107	Deodar cedar	28	Good	Preserve	190.0
108	Deodar cedar	25	Good	Preserve	189.6
114	Deodar cedar	18	Good	Preserve	188.8
126	Cork oak	40	Good	Preserve	192.1
133	Deodar cedar	23	Good	Preserve	191.3
134	Deodar cedar	26	Good	Preserve	191.2
135	Deodar cedar	26	Good	Preserve	191.6
136	Deodar cedar	22	Good	Preserve	191.5
137	Deodar cedar	22	Good	Preserve	191.6
138	Deodar cedar	22	Good	Preserve	191.7
139	Deodar cedar	22	Good	Preserve	191.3
140	Deodar cedar	24	Good	Preserve	191.7
144	Redwood	22	Good	Preserve	189.6
145	Redwood	30	Good	Preserve	188.6
146	Redwood	23	Good	Preserve	189.6
148	Deodar cedar	23	Good	Preserve	188.3
150	Deodar cedar	22	Good	Preserve	188.4
151	Deodar cedar	21	Good	Preserve	188.4
163	Deodar cedar	23	Good	Preserve	188.5
164	Coast live oak	31	Good	Preserve	187.9
165	Coast live oak	27	Good	Preserve	188.2
167	Coast live oak	26	Good	Preserve	190.7
168	Coast live oak	19	Good	Preserve	190.8
169	Coast live oak	20	Good	Preserve	190.9
170	Redwood	27	Good	Preserve	188.3
171	Redwood	28	Good	Preserve	188.3
172	Deodar cedar	30	Good	Preserve	188.8
177	Redwood	22	Good	Preserve	189.1

Continued on next page.

¹ Based on tree survey by Wetland Research Associates (contained in Appendix D of this EIR).

² Source: Conceptual Landscape Plan by The Beals Group (shown in Figure 7A of this EIR).

³ Existing and proposed ground elevations are the same (Source: Conceptual Grading Plan by Nolte Associates-6/03).

TABLE 7 (CONT'D)
DETAILED INFORMATION ON TREES TO BE RETAINED

Tree No.¹	Species¹	Diameter¹ (inches)	Condition¹	To be Preserved or Relocated On-Site²	Ground Elevation³
178	Redwood	20	Good	Preserve	189.6
179	Redwood	23	Good	Preserve	189.2
180	Redwood	22	Good	Preserve	189.7
181	Redwood	19	Good	Preserve	191.8
183	Camphor	19	Good	Preserve	192.8
198	Camphor	17	Good	Preserve	191.6
199	Camphor	17	Good	Preserve	191.8
200	Camphor	3	Good	Preserve	191.7
201	Camphor	17	Poor	Preserve	191.6
202	Camphor	17	Good	Preserve	191.5
203	Camphor	15	Good	Preserve	191.4
205	Redwood	16	Good	Preserve	190.8
206	Redwood	17	Good	Preserve	191.8
207	Redwood	15	Good	Preserve	192.2
208	Redwood	16	Good	Preserve	191.1
209	Redwood	15	Good	Preserve	190.9
211	Redwood	15	Good	Preserve	190.7
212	Redwood	15	Good	Preserve	191.0
213	Redwood	15	Good	Preserve	189.7
214	Redwood	15	Good	Preserve	189.8
215	Coast live oak	13	Good	Preserve	190.0
216	Coast live oak	11	Good	Preserve	190.0
217	Italian cypress	5	Good	Preserve	189.5
218	Italian cypress	5	Good	Preserve	189.5
219	Italian cypress	5	Good	Preserve	188.8
301	California walnut	9	Good	Relocate	192.0
343	Coast live oak	5	Good	Relocate	189.0
348	California walnut	6	Good	Preserve	188.7
349	Redwood	2	Good	Preserve	188.6
350	Redwood	17	Good	Preserve	188.5
354	Coast live oak	2	Good	Relocate	188.9
361	California walnut	2	Good	Relocate	191.2
371	Deodar cedar	13	Good	Preserve	188.8
398	Coast live oak	3	Good	Relocate	189.9
399	Coast live oak	3	Good	Relocate	189.9
441	California walnut	4	Good	Relocate	190.8
442	Coast live oak	5	Good	Preserve	191.0
443	Coast live oak	7	Good	Preserve	191.0
444	Coast live oak	11	Good	Preserve	190.5
445	Coast live oak	14	Good	Preserve	192.0
446	Coast live oak	10	Good	Preserve	192.0
447	Coast live oak	15	Good	Preserve	191.9
448	Coast live oak	9	Good	Preserve	191.3
449	Coast live oak	9	Good	Preserve	191.9
454	Coast live oak	8	Good	Preserve	191.3

¹ Based on tree survey by Wetland Research Associates (contained in Appendix D of this EIR).

² Source: Conceptual Landscape Plan by The Beals Group (shown in Figure 7A of this EIR).

³ Existing and proposed ground elevations are the same (Source: Conceptual Grading Plan by Nolte Associates-6/03).

TABLE 8
TREES INCLUDED IN THE PROJECT LANDSCAPE PLAN

Species	Number to be Planted	Size
London plane tree	85	24-inch box
Purple leaf plum	74	24-inch box
Coast live oak	34	24-inch box
Coast redwood	4	24-inch box
Total	197	

All seven trees to be transplanted have been selected by the project landscape architect as being suitable for relocation. The seven trees to be relocated and transplanted within the project site could be subject to potential damage unless they are properly handled and cared for during the excavation, storage, and replanting process.

- **Redevelopment of the project site would result in significant impacts due to the loss of ordinance-sized trees. (Significant Impact)**

3. Mitigation Measures

The following measures shall be implemented to mitigate significant impacts to biological resources:

Potential Impacts to Special-Status Bats

Implementation of the following measures will avoid harm to special-status bats which could be roosting on the site at the time of building demolition and tree removal:

- To prevent entry by bats into the existing buildings, all doors, windows, and exterior surfaces shall be maintained to remain intact and absent of openings.
- To avoid take of bats which could potentially be roosting under the wood shakes on the mansard roofs of Buildings 024 and 030, the mansard roofs shall be dismantled first, starting with the roof sections found to be in the best condition, and moving toward those sections with decayed and missing shakes where bats are most likely to be found. (The disturbance created by removing the roof sections least likely to contain roosting bats would cause any bats occupying the damaged roof sections to evacuate the roost.)
- To avoid potential take of bats during tree removal, the smaller trees surrounding the large trees shall be removed before the adjacent large trees where bats may be roosting. (The systematic removal of smaller trees would likely create enough disturbance to cause any bats occupying larger trees to evacuate any nearby roosts.) The smaller trees shall be removed no less than one day prior and no more than two days prior to removal of the larger adjacent trees. This will allow one nightly emergence period for the bats to abandon their roosts prior to removal of the larger trees. (The short period between removal of the smaller trees and the removal of the larger trees will minimize the likelihood of bats returning to the larger trees prior to removal.)

Potential Impacts to Nesting Raptors

The implementation of the following measures will ensure that raptors (hawks and owls) are not disturbed during the breeding season:

- A qualified ornithologist shall conduct a pre-construction survey for nesting raptors (including both tree and ground nesting raptors) on-site no more than 30 days prior to the onset of ground disturbance. These surveys shall be based on accepted methods (e.g., as for the burrowing owl) for the various target species (e.g., up to four pedestrian surveys of the site);
- If nesting raptors are identified during the nesting season (1 February through 31 August) on or adjacent to the site, then the ornithologist will, in consultation with the California Department of Fish and Game, determine a ground disturbance-free setback zone around the nest (usually a minimum of 250 feet). The actual distance of the ground disturbance-free zone will depend on the species, location of the nest, and local topography. This setback must be temporarily fenced, and construction equipment and workers shall not enter the enclosed setback area until the conclusion of the breeding season.

Impacts to Existing Trees

As discussed above, impacts to trees could occur in one of the following three ways: removal of existing trees; damage to retained trees during site development; and damage to trees to be transplanted as a result of improper care and handling. Mitigations for each of these types of tree impacts are identified below.

Tree Removal Impacts

As discussed above, the project would result in the removal of 365 existing trees from the site, including 156 ordinance-sized trees, and 209 non-ordinance-sized trees. (Of these 209 trees to be removed, 47 are between 12 and 18 inches in diameter, and 162 are less than 12 inches in diameter.) The ordinance-sized trees removed from the site would be replaced by 24-inch box specimens at a ratio of four replacement trees for each ordinance-sized tree removed, in accordance with the San José Tree Removal Ordinance and replacement guidelines.

The requirements do not stipulate that replacement trees be the same species as those removed. However, the project would be required to conform with the City of San José landscaping guidelines, which require that plantings be irrigated and maintained for a period of three years.

The trees proposed for removal from the project site would be partially mitigated as follows:

- Based on the above requirements, the removal of 156 ordinance-sized trees from the site, as proposed, would result in the required replacement planting of 624 trees (156 x 4), which would consist of 24-inch box specimen trees. (The applicant has indicated a commitment to meeting the replacement planting requirements of the City; however, all of the replacement trees will not be planted on the project site.) The project landscape plan (see Figure 7A) shows 197 trees (24-inch box specimens) to be planted on the site, in addition to the 89 existing trees to be retained. Due to space limitations in the proposed project site plan, the remaining 427 replacement trees (24-inch box specimens) would need to be planted off-site. The City staff has indicated that the City would be able to accept all of the off-site tree planting on City-owned lands, preferably along riparian open space areas in New Edenvale along the Hellyer Avenue Extension, as well as along roadway medians in the project vicinity. The median of Monterey Road in the vicinity of the project has also been suggested as a location where tree planting has been needed for some time. The details of the replacement planting program, both for on-site and off-site planting, have not been determined and would be finalized in conjunction with the subsequent PD permit approval

for the project. The project applicant will work with the City staff to determine specifically where the replacement trees are to be planted, and the details of the off-site planting program. In the long-term, this replacement planting would mitigate for the significant loss of ordinance-sized trees, once the replacement trees reach maturity. However, in the near-term, the loss of ordinance-sized trees would remain significant. The 209 non-ordinance-sized trees to be removed would not require replacement under the City of San José Tree Removal Ordinance and replacement guidelines, but would be somewhat offset by the planting of numerous shrubs and groundcovers proposed in the landscape plan for the project.

- All plantings shall meet the success criteria of the City San José landscaping requirements.

In addition, the project would be responsible for the planting of street trees within the public right-of-way of Cottle Road street frontage per City standards. The conceptual landscape plan shown in Figure 7A indicates the planting of 17 street trees along the Cottle Road frontage. The specific locations of the street trees will be determined at the street improvement stage. The project shall conform to Edenvale Landscape Master Plan for the areas within the public right-of-way and landscape easements. Missing trees along Cottle Road would also be replaced with specimens matching existing street trees (which are identified as to species on Figure 7A).

Impacts to Trees to be Retained

The following measures will be implemented by the project to help reduce impacts to retained trees from site development and to maintain and improve their health and vitality through the clearing, grading and construction phases.

Design Measures

- Any plan affecting trees should be reviewed by the consulting arborist with regard to tree impacts. These include, but are not limited to, improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans, and demolition plans.
- The consulting arborist will identify a Tree Protection Zone for trees to be preserved in which no soil disturbance is permitted (typically the edge of the dripline). Where approved site improvements encroach within the dripline, the consulting arborist will determine where a smaller Tree Protection Zone is to be placed, and make recommendations to reduce the impacts of construction in those areas.
- The Tree Protection Zone of trees to be preserved may allow for approved site improvements near, and in some cases, within the dripline. Future refinements to the design, such as lighting and landscaping, should not require grading within the Tree Protection Zone.
- Prior to issuance of a PD permit, the consulting arborist will submit to the satisfaction of the Director of Planning a Tree Fencing Plan detailing the location of all protective fencing enclosing the Tree Protection Zone.
- No underground services including utilities, sub-drains, water or sewer shall be placed in the Tree Protection Zone.
- Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.
- Irrigation systems must be designed so that no trenching will occur within the Tree Protection Zone.

Pre-construction Treatments

- Fence all trees to be retained to completely enclose the Tree Protection Zone prior to demolition, grubbing or grading. Fences shall be 6-foot chain link or equivalent as approved by consulting arborist. Fencing shall be placed at the dripline. Fences are to remain until all grading and construction is completed.
- Prune trees to be preserved to clean and elevate the crown, providing a level of clearance for vehicles to be determined in consultation with Nolte Associates, Inc., based on the likely vehicle use patterns in the various parking areas. All pruning shall be completed by a certified arborist or tree worker and adhere to the 'Tree Pruning Guidelines' of the International Society of Arboriculture.

Measures for Tree Protection During Construction

- No grading, parking, construction, demolition or other work shall occur within the Tree Protection Zone. Any modifications must be approved and monitored by the consulting arborist.
- Tree health and structural condition shall be monitored throughout the construction period. Any needed treatments shall be applied. These treatments may include, but are not limited to, irrigation, pest control, weed control, and mulch treatment.
- Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the consulting arborist.
- If injury should occur to any tree during construction, it should be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.
- Root-injured trees have a limited capacity to absorb water. Therefore, it is important to insure adequate soil moisture in the area of active roots. One to several irrigations may be needed for trees that are at risk. Irrigations should be specified by the consulting arborist.
- No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the Tree Protection Zone.

Impacts to Trees to be Transplanted

- The following measures shall be implemented by the project to ensure vigor and survival of trees selected for relocation:
- A qualified arborist shall be retained to plan and manage the tree transplanting program.
- The arborist's plan for transplanting trees shall be submitted to the City prior to the issuance of a PD Permit, and the arborist shall implement the plan as approved.
- The arborist shall ensure that transplanted trees are properly handled and cared for during excavation, moving, storage, maintenance, replanting, and establishment. The project arborist shall provide appropriate recommendations to ensure vigor and survival of the trees throughout the transplantation and establishment process.
- In the event that any of the transplanted trees fail within the first 12 months of relocation, they shall be replaced in accordance with the City of San José tree replacement requirements.

Conclusion: The planting of 197 replacement trees on the site, plus the planting of 427 trees off-site in the project vicinity would reduce the impact of the removal of 156 ordinance-sized trees from the site. The project does not propose the planting of trees to replace the 209 non-ordinance-sized trees to be removed. The replacement planting would mitigate for the loss of ordinance-sized trees in the long-term, once the replacement trees reach maturity, but would not reduce the near-term tree removal impacts associated with the project to a less-than-significant level. **(Significant Impact with Mitigation)**

E. ARCHAEOLOGICAL RESOURCES

The following discussion is based on the archaeological evaluation of the project site undertaken by Basin Research Associates in January 2003. The evaluation included a records search and a field survey of the site. The Basin Research report is on file at the City of San José Planning Division where it is kept administratively confidential.

1. Existing Setting

The general project area is located in an archaeologically sensitive area and appears to have been favored by Native Americans for both occupation and hunting and collecting activities. The area would have provided a favorable environment during the prehistoric period with riparian and inland resources readily available and bayshore in relatively close proximity. Numerous recorded/reported archaeological sites are located in the general study area. Three prehistoric sites and one historic archaeological site (remnant farmhouse foundations) have been recorded within ½ mile and are confined to the area north of Monterey Road. In addition, three prehistoric artifacts (sandstone pestle, mano, and chert core) were observed on the surface of a parcel located at the southwest corner of Blossom Hill and Cottle Roads in 1977, but these artifacts have not been formally recorded or reported, and the precise location of these finds is unknown. However, it is reasonably certain that these artifacts were not found on the project site since no ground disturbance or cultural surveys occurred on the project site during that period.

The results of the records search indicate that no prehistoric sites, Native American villages, traditional use areas or contemporary use areas have been identified in or adjacent to the project site. There appears to have been a prehistoric trail in the vicinity along or near the present-day Monterey Road. Likewise, no historic-era features or archaeological sites have been reported or recorded in or near the project site. (For a discussion of historic resources, see Section *II. E. Historic Resources*.)

No prehistoric or historic archaeological materials were observed during the field inventory of the site conducted by Basin Research Associates in December 2002.

2. Archaeological Resources Impacts

For the purposes of this project, an archaeological resource impact is considered significant if the project would:

- disrupt or adversely affect a unique archaeological resource, including human remains.

The development of the proposed project would require site grading, trenching for utilities, and excavation for building footings. Since these activities would intrude into native soil, the possibility exists that archaeological deposits could be disturbed or destroyed.

- **The potential destruction of a previously unknown archaeological site during construction of the project or its associated infrastructure would represent a significant adverse impact. (Significant Impact)**

3. Mitigation Measures

The following measures shall be implemented to mitigate potentially significant impacts to any archaeological resources which may be buried on the site:

- In the event that either prehistoric or historic archaeological materials are exposed or discovered during site preparation or subsurface construction, operations within a 25-foot radius of the find shall be halted, until the find can be inspected by a qualified professional archaeologist. If the archaeologist concludes that the find may be of significance, a plan for evaluating the significance of the resource and recommending appropriate mitigation under the current CEQA Guidelines shall be prepared by the archaeologist and submitted to the Director Planning, Building and Code Enforcement.
- Mitigation for impacts to historic and prehistoric materials may include monitoring combined with data retrieval, or may require a program of hand excavation to record and/or remove materials for further analysis. The appropriate program for mitigating the impacts to any buried resources found on the site will be implemented, and the final report transmitted to the Director of Planning, Building and Code Enforcement.
- If human remains are discovered, the Santa Clara County Coroner shall be notified. The Coroner would determine whether or not the remains were Native American. If the Coroner determines that the remains are not subject to his authority, he will notify the Native American Heritage Commission, who would identify a most likely descendant to make recommendations to the land owner for dealing with the human remains and any associated grave goods, as provided in Public Resources Code Section 5097.98.

Conclusion: With the implementation of the mitigation measures specified above, if necessary, potential impacts to any potential archaeological resources which may be buried on the site would be reduced to a less-than-significant level. **(Less-Than-Significant Impact with Mitigation)**

F. HISTORIC RESOURCES

The following discussion is primarily based on the historical evaluation prepared by Urban Programmers in July 2003. The historic resources report is contained in Appendix E of this EIR.

1. Existing Setting

Historical Background

The following summary of historical background information represents a brief overview of the full discussion contained in the historical evaluation report by Urban Programmers in Appendix E of this EIR.

The project site was part of the Ranch Santa Teresa and remained in agricultural use until 1953, when it was purchased by International Business Machines Corporation (IBM) as part of a larger 210-acre property to construct new facilities for its Santa Clara Valley operations. IBM's first west coast research laboratory had been previously opened in 1952 at 99 Notre Dame Street in downtown San José. In 1956, the Random Access Method of Accounting and Control (RAMAC) was invented at this lab, leading to the first magnetic hard disk for data storage.

To design the initial phases of its new south San José campus, including the Advanced Research Building 025, IBM selected architects John S. Bolles and Associates of San Francisco. John Bolles was a well known architect whose notable commissions in Northern California included the Paul Masson champagne cellars in Saratoga, the Johnson & Johnson building in Menlo Park, Candlestick Stadium and Justin Herman Plaza in San Francisco, and the McGraw-Hill building near Novato. The IBM Cottle Road Campus was his first large commission. The design team also included notable landscape architects like Douglas Baylis, and artists such as Gurdon Woods and Lucienne Bloch who were commissioned to create pieces for various locations on the campus.

Construction on Building 025 was completed in 1957. The design was a radical departure from the solid wall construction of most industrial and laboratory facilities of the time. It was designed so that each office and laboratory had walls of glass to integrate the landscaping and outdoor art with the working spaces. This design would start the west coast trend away from the single manufacturing facility and set the standard for a bucolic setting that high technology campuses would follow. The design intent was to bring together production efficiency and employee comfort in a campus setting, in a context of good architecture, landscaping and art.

When Building 025 was completed in 1957, Reynold (Rey) Johnson's research team from Notre Dame Street moved into the new facility to continue their research work. The team's next major advance beyond the RAMAC was founded on the research with gas bearings and became the floating or "flying head" disk drive which allowed real time on-line processing. The first significant application of this technology was the Sabre System, a nation-wide reservations system established for American Airlines. Building 025 remained the west coast center of IBM's research activities until the early 1970s, with Al Hoagland as its manager during the early 1960s. The Research Division was then moved to Building 028, which was followed by a subsequent move to its current location in the Almaden Hills.

The economic effect of research conducted in Building 025 is not fully known. However, the research that lead to the floating head disk is considered one of the most important advances in the information storage technology industry. The research conducted at Building 025 had a significant economic impact on San José in terms of jobs and sales. The flying head research

associated with Building 025 enabled real-time on-line transactions which are basic to many business applications including the internet. The research also spurred the extensive growth and development in IBM product lines making IBM the largest employer in the city for many years. In addition, it led to the formation of a number of local companies such as Seagate Technologies founded by Albert Shugart.

Description of the Historic Resource

Building 025 is a single-story building designed with an asymmetrical open floor plan with a central building spine running north to south forming a corridor that connects five wings extending to each side (see Figure 4). The wings form landscaped courtyards and garden areas, which are further divided by low decorative block concrete walls. For offices with curtain glass exterior walls this provides a direct view of a created natural environment. The building is surrounded on three sides by mature trees and landscaping that provide a private setting away from general view.

The main building entrance, facing northeast toward the parking area, is set back from the curb by a large lawn area. The entry walkway is covered with a long metal canopy that extends from the curb to the lobby area (see Figure 10). The grooved gray canopy cover is supported by seven, flat-arched steel frame girders set at regular intervals. This long covered approach is both a grand architectural statement and a practical protection from the elements.

The facades of the building wings that face the parking lot are sheathed in red brick for a height of 10 feet, above which is a projecting fascia band at the eave. This fascia band is composed of earth-tone, colored ceramic tiles set in a random geometric pattern that is reminiscent of the key punch cards used with early IBM machines. This design feature is attributed to Lucienne Bloch by a plaque on the wall near the entrance. The design element is repeated on other buildings on the campus from this era, and give the campus its most unifying and distinctive feature. This feature is showing signs of deterioration, some tiles having eroded corners or edges, and with one section of tiles dislodged and hanging precariously from the northeast wing of Building 025.

Although many times altered, the interior offices retain the sense of openness and integration with the outside landscaping. The extensive window areas provide strong natural light throughout the building. Of particular note are the wide bands of interior windows which allow natural light to be effectively diffused from room to room throughout the interior space.

The exterior courtyards include concrete block half-walls to break up the space into outdoor rooms, and vines and shrubs compete the sense of enclosure while softening the site's geometric patterns. The louvered covered metal breezeways that distinguish these spaces, form trellises which help soften the sun exposure to the exterior spaces, and also to the interior spaces through the glass curtain walls.

The complex also includes outdoor sculpture. At the main entrance is a fountain constructed of mosaic tile, within which sits a sculpture entitled "Research," which was created by Gurdon Woods for the building. The sculpture is in poor condition, exhibiting rusting metal framework, and the pool has been untended and is filled with debris.

The landscaping, although extremely overgrown in many areas, retains the form, style and popular plants of the 1950s and 1960s. Native oaks and regional redwoods provide visual screening along the site's perimeter. Rows of olive trees separate the parking lanes in the asphalt parking lot, although many of these trees have been removed. Planting occurs in beds adjacent to the building and around the concrete patios, and a well-tended lawn surrounds the building.

Over the years, several modifications have altered the building interior, including the addition of enclosed space between the wings; however, these changes do not significantly alter the original plan. Additions to the outdoor areas include two new modular buildings (IBM 024 and 030), added to the southwest portion of the site in the 1970s, which do not relate to the architecture of Building 025. Another addition is an emergency generator and fuel tank in the west central courtyard that also do not blend in well with the architecture.

In summary, Building 025 represents a fine example of early industrial campus design and architecture from the 1950s, particularly in the integration of the landscaping into the overall design scheme. The condition of the building is generally poor, and deferred maintenance is reaching a critical point for the metal, wood, and art elements.

Evaluation of Historic Significance

The historic significance of Building 025 was evaluated according to criteria applied at the local, state, and federal levels in determining whether it would qualify for listing as an historic resource. These include the criteria of San José Historic Preservation Ordinance for designating historic landmarks, the criteria for listing in the California Register of Historical Resources, and the criteria for listing in the National Register of Historic Places. The eligibility of Building 025 for listing under these three sets of criteria is discussed below.

San José Historic Landmark Criteria

The City of San José Historic Preservation Ordinance contains the following criteria that are used to define structures of historical value in the City of San José. A resource must meet either criterion #1 or at least one of the criteria from #2 to be considered significant.

1. Identification or association with persons, eras or events that have contributed to local, regional, state or national history, heritage or culture in a distinctive, significant or important way.
2. Identification as, or association with, a distinctive, significant or important work or vestige:
 - a. Of an architectural style, design or method of construction;
 - b. Of a master architect, builder, artist or craftsman;
 - c. Of high artistic merit;
 - d. The totality of which comprises a distinctive, significant or important work or vestige whose component parts may lack the same qualities;
 - e. That has yielded or substantially likely to yield information of value about history, architecture, engineering, culture or aesthetics, or that provides for existing and future generations an example of the physical surroundings in which past generations lived or worked; or
 - f. That the construction materials or engineering methods used in the proposed landmark are unusual or significant or uniquely effective.
3. The factor of age alone does not necessarily confer special historical, architectural, cultural aesthetic or engineering significant, value or interest upon a structure or site, but it may have such effect if a more distinctive, significant or important example thereof no longer exists.

Based upon the above criteria, the San José Historical Landmarks Commission has established a process by which historic resources are evaluated for significance. A numerical evaluation system has been devised under which points are awarded under various categories relating to key attributes such as architecture, history/association, environmental/context, integrity, etc. The total

number of points awarded are compared to the number of points needed to qualify for various levels of historic significance, as set forth below.

<u>Points Received</u>	<u>Level of Historic Significance/Importance</u>
67 - 134	Candidate City Landmark
33 - 66	Structure of Merit
33 - 66	Contributing structure to a historic district
0 - 32	Non-significant

In considering the attributes of a candidate property under San José's Historic Preservation Ordinance, the first step is to define the historical context and period of significance. A fully developed context is one that has been proposed and accepted by the San José Historic Landmarks Commission. The Landmarks Commission has adopted context statements for the period 1777 through 1991. The IBM Advanced Research Building 025 is considered in the context period "1945-1991; Industrialization and Suburbanization."

Based upon an evaluation conducted by Urban Programmers, using the point rating system described above, Building 025 received a total point score of 118.57, resulting in a rating of "Candidate City Landmark." It is noted that the City's evaluation system does not consider the actual research conducted in the building, but focuses on the architecture and architect and the association (i.e., with IBM corporation). (The Evaluation Sheet and Evaluation Tally Form used in the evaluation of Building 025 are contained in Appendix E of this EIR, as an attachment to the Urban Programmers report.)

Evaluation of Building 025 under the San José criteria follows. The building qualifies under Criterion #1 because of its association with Reynold Johnson and the research team that invented the magnetic storage disk, and continued research after moving to Building 025, where research associated with development of the flying head disk drive occurred. The building's association with IBM and its San José campus is also significant due to the economic importance of IBM to the community, having been its largest employer for a number of years.

Under Criterion #2, Building 025 represents a fine example of Modern Architecture, a distinctive architectural style. The architect John S. Bolles was known as an innovator in architecture and for combining art and architecture in his work. The IBM Cottle Road campus appears to have been his only commission in San José.

California Register of Historical Resources

According to the California Environmental Quality Act (CEQA), "[a] project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. For purposes of this section, an historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources" (Public Resources Code §21084.1). In order for a resource to be eligible for the California Register, it must be significant at the local, state or national level, under one or more of the following criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States;
2. It is associated with the lives of persons important to the local, California, or national history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or

4. It has yielded, or is likely to yield, information important to the prehistory or history of the local area, California, or the nation;

In addition, the resource must retain enough of its historic character or appearance to be recognizable as a historic property, and to convey the reasons for their significance.

The report by Urban Programmers includes analysis supporting the finding that Building 025 is eligible for listing in the state register. Building 025 was found to be significant to the state or regionally under criterion '1' for its association with the research that led to important developments in magnetic disk storage. The building was found to be significant under criterion '2' for its association with Reynold Johnson, Al Shugart, and Al Hoagland, and other researchers who contributed to the development of the floating head disk storage and the steel disk, and the removable disk pack. The building was found to be significant under criterion '3' because of its outstanding modern architecture.

In addition to having significance, resources must have integrity for the period of significance. The period of significance is the date or span of time within which significant events transpired, or when significant individuals made their important contributions. Integrity is the authenticity of an historic resource's physical identity as evidenced by the survival of characteristics of historic fabric that existed during the resource's period of significance. Alterations to a resource or changes in its use over time may have historical, cultural, or architectural significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register if, under Criterion 4, it maintains the potential to yield significant scientific or historical information or specific data. Building 025 is largely intact and has undergone only minor exterior alterations, although interior modifications have been substantial. The integrity standards of the California register are similar to corresponding standards of the National Register upon which they are based. As discussed below under 'National Register of Historic Places', Building 025 meets the applicable standards for integrity.

Based on the above analysis, it was concluded that Building 025 is eligible for listing in the California Register.

The California Register also provides for the designation of historic districts, which are concentrations of historic buildings, structures, objects, or sites within precise boundaries that share common historical, cultural, or architectural background. Individual resources within an historic district may lack individual significance but still be considered a contributor to the significance of the historic district. Building 025 may be considered a contributing element in a historic district composed of similar architecture and/or of similar historically significant resources. However, this has not yet been completely documented

National Register of Historic Places

The National Register of Historic Places also includes standards for determining eligibility for listing. These standards are very similar to those of the California Register except that they are more focused on national rather than state history. The National Register standards and criteria are as follows:

1. A property must be fifty years old or meet criteria for exceptionally fine design or exceptional historical association.
2. The resource must retain architectural and historical integrity.
3. The resource must meet at least one of the following criteria:

- a. Are associated with events that have made a significant contribution to the broad patterns of history;
- b. Are associated with the lives of persons significant in our past;
- c. Embody distinctive characteristics of type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- d. Have yielded, or may be likely to yield, information important in prehistory or history.

With respect to standard #1, the resource is less than 50 years old, and therefore is subject to Criteria Consideration G, which requires exceptional importance at the national, state or local level. Building 025 represents an exceptional example of the Modern style of architecture for industrial use. For a period of over 20 years, it was directly associated with inventions and advances in information storage technology that have made a significant contribution to the broad category of the computer industry and the sub-category of information storage, retrieval, and access to information. These are exceptional events that have made significant contributions to the economic growth and industrial expansion of San José. Therefore, Building 025 meets the Criteria Consideration G requirement for exceptional importance.

In standard #2, the reference to “integrity” involves seven aspects: location, design, setting, materials, workmanship, feeling, and association. These aspects closely relate to the significance of the resource and must be primarily intact for National Register eligibility. These elements of integrity are discussed below in relation to Building 025.

Location: This refers to the place where the historic property was constructed or where the historic event occurred. Building 025 is located in the place where it was constructed and where historically significant research associated with the flying head disk drive occurred.

Design: This reflects the combination of elements that create the form, plan, space, structure, and style of a property. The design of Building 025 includes the organization of interior and exterior space that reflects its historic function as a research laboratory within the context of a fine example of Modern architectural style.

Setting: The setting is the physical environment of the historic property, and is defined as the “character” of the area surrounding the resource. The 18-acre campus that encompasses Building 025 exhibits a functional and aesthetically pleasing plan of buildings, circulation, landscaping, parking, and public art. This plan communicates the designer’s concept of creating a respectful human-scale relationship between the buildings and nature and innovation, and is reflected in the public art. In creating the campus plan for Building 025, the landscape design with open spaces that define the setting of the building are unusually important since they are the defining element of the campus design theme that purposely extended beyond and through the walls of the building to include the created natural open space, which was a key element in creating this innovative and stimulating research environment. The original setting of Building 025 is largely intact, although two modular office buildings and an above-ground fuel storage tank have been added on the western side of the building.

Materials: This refers to the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form an historic property. A building must retain the key exterior materials dating from the period of its historic significance. Building 025 retains almost all of the original exterior materials with the exception of the signage that was affixed to the front of the building. Changes to the landscaping are also

evident. In addition, both the Gurdon Woods sculpture and ceramic panels by Lucienne Bloch are in various states of deterioration.

Workmanship: This refers to the physical evidence of crafts or a particular culture or people during any given period in history or prehistory. It is the evidence of the artisans' skill in constructing or altering a building, structure, object, or site. Building 025 still exhibits the skill of labor in constructing the building's basic shell and facades using materials specifically created for this building, as well as fine details in the brick and other materials. It is also evident in the sculpture "Research" at the building entrance, and in the placement of landscaping that remains on the site.

Feeling: This is the property's expression of the aesthetic or historic sense of a particular period of time. Building 025 exhibits the feeling of Modern Architecture and the modern industrial campus plan from the period of the mid-1950s.

Association: This refers to the direct link between an important historic event or person and an historic property. Building 025 is where historically significant research occurred, including work associated with development of the flying head disk drive, which is considered one of the most significant inventions in information storage technology. The building is sufficiently intact to convey the architectural plan that was conceived to respect and thereby encourage the scientists conducting the research.

Based on the above analysis, Building 025 reflects all aspects of integrity required under standard #2. The following is a discussion of the ability of Building 025 to meet the eligibility criteria of standard #3, which are listed above.

Criterion 'a': Building 025 is significant for its association with the research and development of the flying head disk drive which allowed real-time random retrieval of information from a magnetic storage disk. This event is considered one of the most significant advances in data storage technology.

Criterion 'b': Building 025 is directly associated with Dr. Reynold Johnson, Albert Shugart, Al Hoagland, and the IBM Corporation. The scientists are individually significant and noted for their research and advancements which occurred in this building. IBM Corporation is significant in the economic and industrial history of San José for advances in the high tech industry and as a major employer in San José for several years. It was the first large-scale commission of the architect John S. Bolles which gave him the opportunity to integrate art and architecture. As such, it is a defining work in the career of John Bolles, a noted regional architect.

Criterion 'c': Building 025 embodies the distinctive characteristics of Modern architecture from the mid-1950s, utilizing manufactured materials that are distinctive to that period. It also possesses high artistic value as an example of Modern industrial architecture set in a campus environment.

As discussed above, Building 025 meets three of the eligibility criteria for listing in the National Register. Since it also retains historic integrity and qualifies as a building less than 50 years old under Criteria Consideration G, it meets all of the standards for eligibility for National Register listing.

The National Register of Historic Places also provides for the creation of historic districts. These can include: geographic districts composed of a group of historically important structures and contributing elements; and thematic districts composed of a number of resources which are

connected by a common historic theme but are not necessarily in proximity to one other. Building 025 may qualify for inclusion in both types of districts. It might qualify as part of a geographic district encompassing other historically significant buildings at the former IBM Cottle Road campus. It could also qualify as part of thematic district composed of buildings important to the early history of the high technology industry in what has become Silicon Valley. To date, the extensive survey and documentation required for either type of district has not been undertaken, and no action has been taken with respect to the creation or formation of either type of district where Building 025 would qualify for inclusion.

2. Historic Resources Impacts

For purposes of this project, an impact to historic resources is considered significant if the project would:

- cause a substantial adverse change in the significance of a historic resource as defined in Section 15064.5 of the CEQA Guidelines; or
- cause a substantial adverse change in the significance of a historic resource that is listed or is eligible for listing on the State or Federal Registers, or is identified as a City Historic Landmark, or qualifies as a Candidate City Landmark.

The historical evaluation for the project concluded that the building qualifies as a “Candidate City Landmark” under the San José Historic Preservation Ordinance, and also that it would be eligible for listing in the California Register of Historical Resources and the National Register of Historic Places. The redevelopment of the project site, as proposed, would entail the demolition and removal of Building 025 from the site. This would represent a substantial adverse change in the significance of this resource. Therefore, the proposed project would result in a significant impact to historic resources.

- **The proposed demolition of IBM Building 025, a significant historic resource, would represent a significant impact upon historic resources. (Significant Impact)**

3. Mitigation Measures

The historic evaluation by Urban Programmers stated that “a case can be made for preserving the resource” and that “[p]reservation and reuse of the architecturally significant building should be reconsidered.” It also concluded that the relocation of the building would not be feasible due to the type of construction.

In an effort to fully examine the possibility of preserving Building 025 in conjunction with the proposed project, a range of project alternatives was considered with the assistance of qualified historical architect Thomas Hardy, AIA. These included the possibility of reusing Building 025 for the proposed land uses, and the possible reconfiguration of the project to accommodate Building 025. In addition, alternative land uses, other than those proposed in the project, were evaluated in terms of their potential to reuse Building 025. These alternatives for preserving the historic resource are explored and analyzed in detail in Chapter V. *Alternatives to the Proposed Project*. The alternatives analysis concluded that although there are alternatives which would avoid adverse affects to the historic resource of Building 025, none of these alternatives would meet the applicant’s objectives for the project, as outlined in Chapter I of this EIR. In particular, the alternatives which involve reuse of Building 025 for the project, or construction of a two-story warehouse to avoid removal of Building 025, would not meet the applicant’s project objective of constructing single-story warehouse configured as a large rectangular space for maximum efficiency.

The report by Urban Programmers identifies several mitigation measures for reducing the impacts associated with removal of the historic resource. These generally include the following: 1) Preservation of sculpture; 2) Historical record; 3) Documentation; 4) Incorporating historical information in future development 5) public exhibits; and 6) Salvage. These are discussed in detail below.

Based on the general mitigation recommendations by Urban Programmers, the project applicant retained the historical architectural firm of Thomas Hardy, AIA, to refine and provide greater detail to the historical mitigation program for the project.

The following presentation of mitigation measures begins in each case with the enumeration of the general mitigation measure recommended by Urban Programmers. Each mitigation is followed by a more detailed discussion relating to the implementation of each mitigation measure, as prepared by Thomas Hardy, AIA, which is present in bullet format. The project sponsor has committed to implementing the detailed mitigations formulated by Thomas Hardy, AIA, which are incorporated into the project. These mitigation measures will be conducted by qualified consultants as described in the Professional Qualification Standards of the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation*.

Preservation of Artwork: Retain and relocate the Gurdon Woods sculpture where it can be refurbished and seen by the workforce. Alternatively, donate the sculpture to an appropriate facility for refurbishing and preservation.

- Sculpture: The project applicant will retain a qualified conservator to rehabilitate and relocate Gurdon Woods sculpture "Research" to an appropriate comparable setting, e.g., Building 010 or vicinity, assuming special arrangements could be made with Hitachi for such relocation within their campus. Install sculpture in new reflecting pool or on polished stone slab. Installation to include existing and additional new plaque. Prior to relocation, document this feature photographically to HABS (the *Historic American Buildings Survey*) standards.
- Ceramic Mosaic Veneer: There is no practical reuse for Lucienne Bloch's ceramic mosaic veneer panels that finish the roof fascia around Building 025. Prior to removal, document this feature photographically to HABS standards. Contact Historic San José to determine if they have any interest in this feature. If there is no interest, make the feature available for salvage.

Historical Record of IBM's Technological Innovations at Building 025 and the Cottle Road Campus: The project sponsor, IBM Corporation should make available for research or contribute materials that describe the use of the property, and to the extent that they exist, documents relating to social, civic, and economic conditions that were present and affected changes at Building 025 and its context. Any facility plans, architectural or engineering drawings or photographs or unrestricted research records pertaining to Building 025 that are retained by IBM Corporation should be offered for the archives at History San José.

- IBM will cooperate with the project applicant by providing available information on Building 025 and its use. Any copies of the extant drawings and photographs pertaining to Building 025, which are made available by IBM, will be provided to History San José or other appropriate repository, as designated by the City of San José.

Documentation: If demolition of the building is approved, documentation in accordance with HABS standards is required. Still photographic recordation, video or other appropriate medium should be required of the project sponsor. Existing architectural and engineering drawings must also be offered to the San José Planning Department, or measured drawings that meet the standards of HABS should be provided.

Documentation of the site is to be conducted according to HABS standards. The documentation is to be conducted by a qualified consultant as described in the Professional Qualification Standards of the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation*.

- HABS Photography: This will consist of selected large format, black-and-white views of the existing building, to HABS standards. Views will include at a minimum:
 - 6-8 views of exterior (including the courtyards and concrete block divider screens)
 - 3 views of setting
 - 6-8 views of interior
 - 3-4 selected details (including the sculpture, ceramic mosaic veneer mural, etc.)
- Drawings: Copies of selected John S. Bolles drawings will be reproduced from microfiche on archival media. A preliminary selection of 10 drawings has been made. A search of materials at U.C. Berkeley Environmental Design Archives will be conducted as related to Building 025 project drawings and documents and Douglas Baylis, Landscape Architect. Copies will be made, as appropriate, for the project file at History San José. Since an extensive collection of original design and construction drawings exists on microfilm in the collection of IBM, it is not necessary to record the existing conditions with measured drawings.
- Historic Photographs: There are a number of high quality historic photographs in IBM's possession that were taken before, during and after construction that provide an important part of Building 025's history. With the cooperation of IBM, the applicant will make 8x10 black-and-white prints, on archival paper, of nine selected photographs of historic and contemporary views (as shown in Appendix A of the Hardy report in Appendix E of this EIR). Included will be at least one aerial view of the site prior to construction or before major development in the area.

Three copies of the HABS level photography, historic photographs, drawings, and written reports will be packaged as one document recording the history and significance of the site and provided to the Historic Preservation Officer in the Department of Planning, Building and Code Enforcement for distribution to History San José, the California Room of the Martin Luther King, Jr. Library, and the Northwest Information Center at Sonoma State University.

In addition, the project applicant will present the documents compiled from the above recordation tasks to the U.C. Berkeley Environmental Design Archives.

Incorporating Historical Information in the Future Development: When naming future developments, buildings, streets, gardens, or parks, use names that identify the historic activities or individuals that were important in the history of the IBM Cottle Road Campus and the research that was conducted in Building 025.

- In conjunction with the naming of new streets or other public facilities in the vicinity of the former IBM Cottle Road campus, the City of San José will seek opportunities to use names of

historically significant persons and/or important research activities directly associated with Building 025.

Public Exhibit: With the assistance of History San José or other professionals experienced in creating historical exhibits, create a documentary display that may include historic photographs and records to “tell the story” of the research activities and high technology and the importance of Building 025 and the Cottle Road Campus to the history of San José. Install the display where it will be available to the public.

- Prior to demolition of Building 025, the project applicant will retain a qualified historian to develop a public exhibit regarding the IBM Campus and Building 025 in consultation with History San José. The historian is to be a qualified consultant as described in the Professional Qualification Standards of the *Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation*.

Salvage: Make older and usable materials available for salvage by qualified contractors.

- Building 025 will be surveyed by a qualified historical architect to identify any significant historic features or materials for reuse or salvage. Prior to demolition, the project applicant shall consult with History San José, the Preservation Action Council of San José, and the Historic Landmarks Commission regarding salvage of materials from Building 025 for public information or reuse in other locations. After any significant historic features or materials have been identified and their removal completed, demolition of the building will comply with the City of San José’s Construction & Demolition Diversion Deposit Program and Ordinance No. 26219.

Conclusion: The demolition of Building 025 in conjunction with the project represents a significant unmitigated impact. While the planned mitigation measures would lessen the severity of the impact on historic resources, they would not reduce the impact to a less-than-significant level. **(Significant Unmitigated Impact)**

G. VISUAL/AESTHETIC RESOURCES

1. Existing Setting

Visual and Aesthetic Character of the Site

The project site is currently characterized by single-story 1950s and 1970s style research/office buildings in a setting of mature landscaping. The only portion of the project site that is visually accessible to the public, the Cottle Road frontage, is so densely wooded with mature conifers that visibility into the site itself is severely limited (see Figure 10B). This wooded site perimeter conveys the visual impression that the site is semi-natural in character.

A different visual character emerges when the site is viewed from the interior (see Figure 10A), although these views are on private property and not accessible to the general public. When viewed from the eastern portion of the site near Boulder Boulevard, the dominant element is the expanse of asphalt of the largely unlandscaped parking lot occupying the eastern one-third of the site. The west-central portion of the site is dominated by low-rise buildings and associated landscaping, surrounded by expansive areas of lawn. Only the publicly visible northern and western margins of the site are occupied by dense stands of mature trees, primarily conifers.

Surrounding Visual Context

The visual character of the areas adjacent to the project site is one of full urbanization. The areas to the immediate north are dominated by transportation facilities such as the Monterey Road/Union Pacific Railroad corridor, and the ramps and abutment fills for the Blossom Hill overcrossing over this corridor. The areas to east and south consist of the buildings, roadways, and landscaped open space of the Hitachi campus. The area across Cottle Road to the west is dominated by relatively intense commercial and community center uses, which are somewhat visually softened and moderated by mature trees and landscaping along both sides of Cottle Road.

2. Visual Resources Impacts

For purposes of this project, a visual impact is considered significant if the project would:

- Substantially alter existing views of scenic vistas or resources; or
- Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area; or
- Introduce new development that has a substantial, demonstrable negative aesthetic effect; or
- Substantially degrade the existing visual character or quality of the site and its surroundings.

Visual Impacts from Project Development

The proposed project would replace the existing research/office buildings, parking lot, and landscaping with a commercial retail development and associated parking and landscaping. The project would constitute redevelopment of an already urbanized site and would not result in the conversion of open space to urban uses. As such, the basic visual character of the site as urbanized would not be substantially altered by the proposed project.

The proposed project would moderately increase the intensity of development on the site, in terms of overall square footage of building space, the height of buildings, and coverage by impervious surfaces. The project would be developed in conformance with the City's

Commercial Design Guidelines which serve to enhance the quality of building design and promote the use of landscaping that works with buildings and surroundings to make a positive contribution to the aesthetics and function of both the specific site and the area.

The redevelopment of the project site as proposed would not affect scenic views or corridors. The project site is set within an expanse of urban development that lacks topographic relief or scenic views, and is not located along a designated scenic corridor. However, as viewed from off-site, the visual change represented by the project would be substantial. Portions of the site boundaries and interior contain a large number of mature trees which visually screen portions of the site by a series of densely-spaced trees which convey a semi-natural or park-like character. The removal of 365 existing trees from the site to accommodate the project and to enhance its visibility would substantially alter this park-like image.

The hard edges of the project would be relieved by building articulation, landscaping, and planting of trees throughout the parking lot. The visual effect of the buildings would also be softened by the retention of approximately 30 existing on-site trees along Cottle Road, and the planting of 32 new trees along the Cottle Road frontage (15 trees within the project site and 17 trees within the City right-of-way). This will provide a continuous line of trees and intermittent landscaping massing along the front of the project site, which will help to maintain somewhat of a wooded feeling along Cottle Road. Nevertheless, the visual change from a wooded, semi-natural character to a distinctly urban character would represent a substantial alteration in the appearance of the site from the surrounding area.

- **The substantial changes in views of the site from the surrounding area resulting from the project would represent a significant visual/aesthetic impact. (Significant Impact)**

Lighting and Glare

The project would include on-site lighting in order to illuminate parking and loading areas, buildings and signage. Given the virtual absence of light emanating from the site under current conditions, this will be a noticeable change in the local nighttime environment. Although there are no residential uses or other light-sensitive land uses adjacent to the site or in the immediate vicinity, the generation of any unnecessary light or glare would have a generally negative aesthetic effect, and could reduce safety for motorists traveling along Cottle Road. To minimize potential impacts, the proposed project lighting would be low-pressure sodium, as required by the City, and would be designed to avoid unnecessary illumination and to avoid light spill and glare to off-site locations. This would be accomplished through the use of fully-shielded luminaires which provide for light to be directed downward instead of outward, and with no light source visible beyond the project boundaries. Light fixtures mounted on buildings will also be designed to direct light downward with no off-site light spill (see Chapter I. *Project Description* for a detailed description of proposed project lighting). In addition, the landscaping and retained trees along the site frontage, and the existing and planned street trees within the adjacent Cottle Road right-of-way, will serve to screen and block some indirect light from reaching Cottle Road.

- **Project lighting will not result in impacts due to substantial illumination or glare. (Less-than-Significant Impact)**



WESTWARD VIEW OF BUILDING 025 FROM CENTER OF SITE



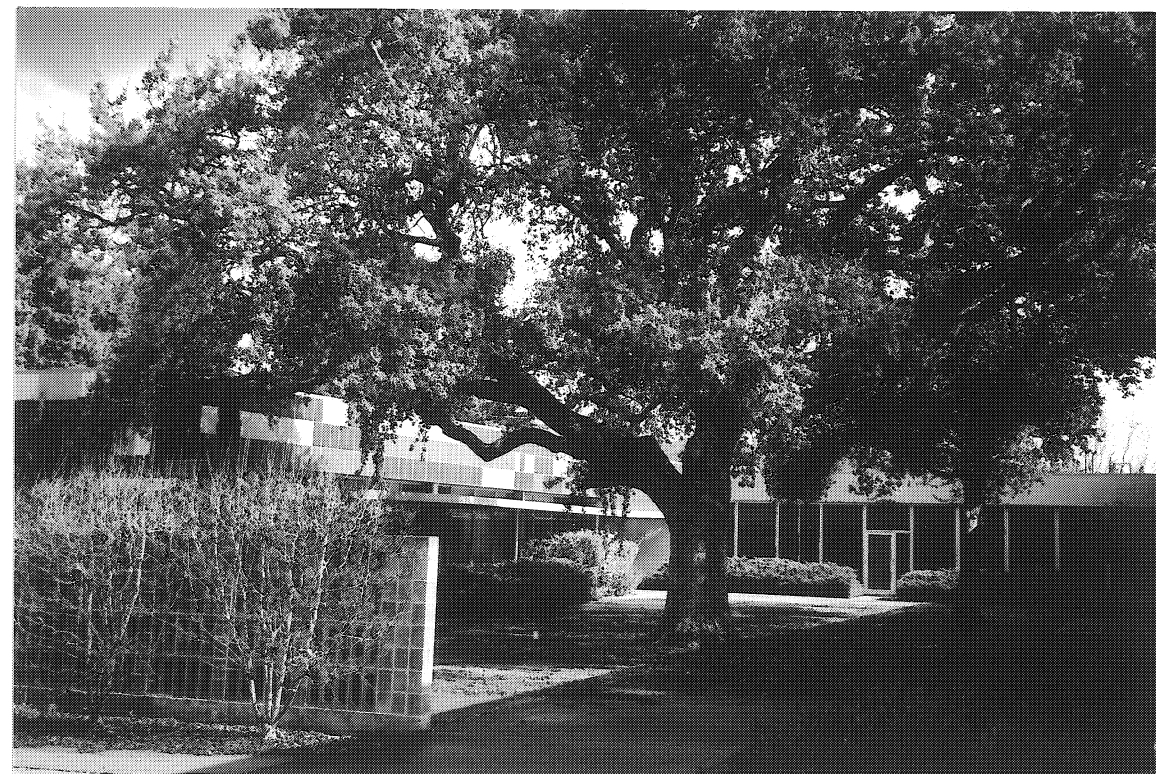
EASTWARD VIEW OF PARKING AREA FROM CENTER OF SITE

SITE PHOTOGRAPHS

FIGURE 10A



NORTHWARD VIEW ACROSS COTTLE/POUGHKEEPSIE INTERSECTION TOWARD SITE



CORK OAK ON WEST SIDE OF BUILDING 025



SCULPTURE "RESEARCH" AT BUILDING 025 ENTRANCE

SITE PHOTOGRAPHS

FIGURE 10B

2. Mitigation Measures

Visual/Aesthetic Impacts

The application of the City's Commercial Design Guidelines and landscaping requirements would enhance project aesthetics; however, this would not be sufficient to reduce the visual and aesthetic impacts of the project to less than significant levels.

Lighting and Glare

The proposed project would not result in lighting or glare impacts, and therefore no mitigation is necessary or proposed.

Conclusion: The project would result in a significant unmitigated impact to visual resources.
(Significant Unmitigated Impact)

H. TRANSPORTATION

The following discussion is based on the transportation impact analysis prepared by Hexagon Transportation Consultants in August 2003. The traffic report is contained in Appendix F of this EIR.

1. Existing Setting

Existing Roadway Network

Regional Roadways

Regional access to the project area is provided by US 101, State Route 85 (SR 85), and Monterey Road (SR 82). These facilities are described below and shown in Figure 11.

US 101

US 101 is an eight-lane freeway (three mixed-flow lanes and one high-occupancy vehicle [HOV] lane in each direction) north of Bernal Road. South of Bernal Road, US 101 narrows to two mixed-flow lanes in each direction. US 101 south of Bernal Road is currently being upgraded to an eight-lane freeway (3 mixed flow lanes and 1 HOV lane in each direction). US 101 extends northward through San Francisco and southward through Morgan Hill. Access to and from the site is provided via an interchange at Blossom Hill Road/Silver Creek Valley Road.

State Route 85

SR 85 is a predominantly north-south freeway that is oriented in an east-west direction in the vicinity of the project. It extends from Mountain View to south San José, terminating at US 101. SR 85 is a six-lane freeway with four mixed-flow lanes and two HOV lanes. It connects to I-280, SR 17, SR 87, and US 101. SR 85 provides access to the project site via an interchange at Cottle Road.

Monterey Road (SR 82)

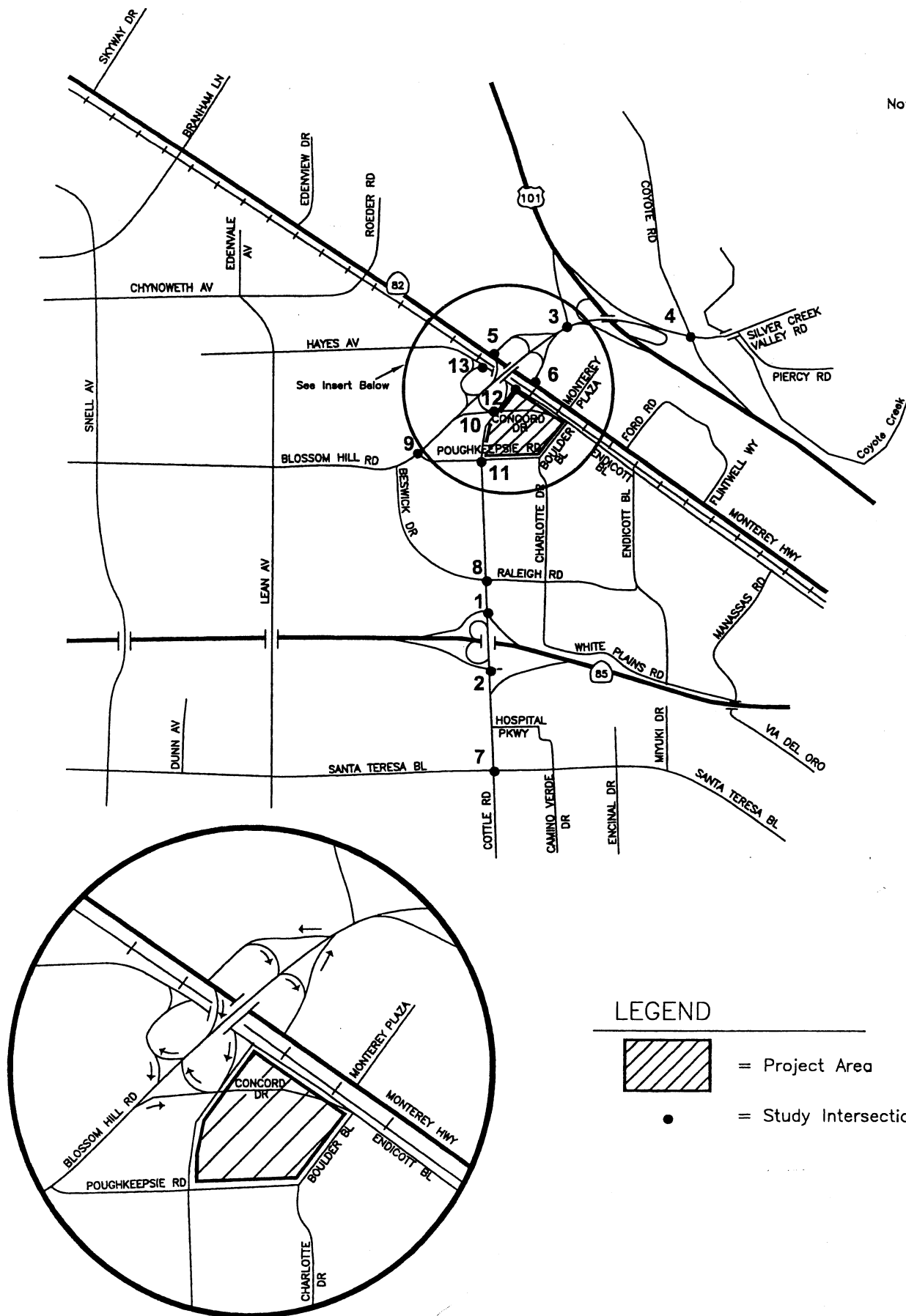
Monterey Road (SR 82) is a six-lane major arterial north of Blossom Hill Road and a four-lane major arterial south of Blossom Hill Road. Monterey Road extends from Market Street in downtown San José to US 101 south of Gilroy. Monterey Road provides access to the project site via an interchange at Blossom Hill Road.

Local Roadways

Local access to the project site is provided by Blossom Hill Road/Silver Creek Valley Road, Cottle Road, Santa Teresa Boulevard, Poughkeepsie Road, and Concord Drive. These roadways are described below and shown in Figure 11.

Blossom Hill Road/Silver Creek Valley Road

Blossom Hill Road is a divided four-to-six lane east-west arterial that extends from its interchange with US 101 west into Los Gatos. East of US 101, Blossom Hill Road becomes Silver Creek Valley Road which is four lanes wide with turn pockets, landscaped medians, and sidewalks.



LOCAL ROADWAY NETWORK AND STUDY INTERSECTIONS

SOURCE: HEXAGON TRANSPORTATION CONSULTANTS

Blossom Hill Road/Silver Creek Valley Road has a full interchange at US 101 that provides regional access to the project site.

Cottle Road

Cottle Road is a six-lane north-south arterial that connects Blossom Hill Road and Monterey Road to SR 85 and Santa Teresa Boulevard. Access to the project site from Cottle Road is currently provided by project entrances at Concord Drive and Endicott Boulevard.

Santa Teresa Boulevard

Santa Teresa Boulevard is predominately a north-south facility that is oriented in an east-west direction in the vicinity of the project site. Santa Teresa Boulevard is a six-lane major arterial in the project area. It extends southward from the SR 85/SR 87 interchange to the Coyote Valley region of south San José.

Poughkeepsie Road

Poughkeepsie Road is a four-lane roadway that begins on the Hitachi campus and extends westward beyond Cottle Road as a six-lane roadway to Blossom Hill Road where it terminates. The intersection of Cottle Road and Poughkeepsie Road currently serves as the primary access point for the existing Hitachi campus.

Concord Drive

Concord Drive is a four-lane roadway that begins on the Hitachi campus and extends northwesterly beyond Cottle Road to Blossom Hill Road where it terminates. West of Cottle Road, Concord Drive serves as an on-/off-ramp for eastbound traffic on Blossom Hill Road. The intersection of Cottle Road and Concord Drive currently serves as a secondary outbound access point for the existing Hitachi campus during the PM peak hour only.

Endicott Boulevard

Endicott Boulevard is aligned parallel to Monterey Road and provides a direct connection between the Hitachi campus and the westbound Blossom Hill Road ramps. Endicott Boulevard generally has two southbound travel lanes and one northbound travel lane. At its intersection with Hayes Avenue, Endicott Boulevard transitions into the two-way ramp for westbound Blossom Hill Road.

Existing Transit Service

Existing transit service to the study area is primarily provided by the Santa Clara Valley Transportation Authority (VTA) and Caltrain. Transit services within close proximity to the project site are described below.

Bus Service

The VTA operates four local and express bus routes near the project site. The 67 line provides service between the Blossom Hill Caltrain station and the Tamien light rail transit (LRT) station via Monterey Road, Bernal Road, and Santa Teresa Boulevard with 30- to 45-minute headways during commute hours. The 68 line provides service between the San José Diridon Caltrain station and Gavilan College in Gilroy, via Cottle Road, Santa Teresa Boulevard, and Monterey

Road, with 15-minute headways during commute hours. The 27 line provides service between Santa Teresa Hospital and West Valley College, via Santa Teresa Boulevard, Cottle Road, and Blossom Hill Road, with 15- to 30-minute headways during commute hours. The 27 line also provides limited service to the Hitachi facility on Cottle Road. The super express bus 501 operates on 35- to 40-minute headways during limited commute hours between Palo Alto and the Hitachi facility on Bailey Avenue in Coyote Valley. The 501 line also provides service to the Hitachi facility on Cottle Road via Poughkeepsie Road, Cottle Road, and SR 85. The nearest bus stops to the project site are located at the intersection of Cottle Road and Poughkeepsie Road. This stop serves the 27, 68, and 501 lines.

Shuttle Service

The Hitachi Light Rail Shuttle line provides service between the Blossom Hill Caltrain Station and the Santa Teresa LRT Station via Monterey Road, Cottle Road, and Poughkeepsie Road, with 15-minute headways. The LRT shuttle also provides request-response service to locations on the Hitachi campus.

Light Rail Transit (LRT) Service

There is one LRT station located within the project area. The Cottle LRT station is located within the median of SR 85 just east of Cottle Road. The Cottle LRT station park-and-ride lot is accessible from Cottle Road. The Cottle LRT station is on the Guadalupe Corridor LRT line which provides service on 10-minute headways during commute and midday hours. It provides service between the project area and Great America in Santa Clara, via downtown San José. The Cottle LRT station is a slightly less than one mile from the project site.

Caltrain

Commuter rail service between San Francisco and Gilroy is provided by Caltrain. There is one Caltrain station located within the study area - the Blossom Hill station - located along Monterey Road south of Blossom Hill Road. The Blossom Hill Caltrain station park-and-ride lot is accessible from Monterey Road at Ford Road. At the Blossom Hill station, Caltrain provides service with approximately 30- to 40-minute headways during commute hours. The Blossom Hill Caltrain station is located within walking distance of the project site.

Existing Bicycle and Pedestrian Facilities

There are several city-designated bikeways within the vicinity of the project site. Bike lanes are provided on Monterey Road south of Tully Road, on Lean Avenue between Blossom Hill Road and Chynoweth Avenue, on Beswick Drive between Blossom Hill Road and Cottle Road, on Cottle Road south of Poughkeepsie Road, and on Santa Teresa Boulevard from Bernal Road to Blossom Hill Road. Future bike facilities have been planned for Blossom Hill Road between Snell Avenue and Poughkeepsie Road, and on Snell Avenue between Blossom Hill Road and Santa Teresa Boulevard. On other streets in the study area, bicycles must share the roadway with auto traffic.

Pedestrian facilities in the project area consist primarily of sidewalks along the streets in most residential and commercial areas. Sidewalks are found along virtually all previously-described local roadways in the study area and along the local residential streets and collectors near the site. However, there are no sidewalks on the project frontage along Cottle Road.

Existing Intersection Levels of Service

City of San José Intersection Analysis

The existing traffic conditions at the study intersections were measured against the City of San José level of service (LOS) standards (definitions of service levels are provided in Table 9). The results of the level of service analysis for existing conditions are summarized in Table 10. The results indicate that, measured against the City of San José level of service standards, one of the study intersections - Cottle Road and Beswick Drive - currently operates at an unacceptable LOS E during the PM peak hour. The remaining signalized study intersections currently operate at an acceptable LOS D or better.

TABLE 9
INTERSECTION LEVEL OF SERVICE BASED ON DELAY

Level of Service	Description	Average Stopped Delay per Vehicle (seconds)
A	Operations with very low delay occurring with favorable progression and/or short cycle lengths.	Less than 5.0
B	Operations with low delay occurring with good progression and/or short cycle lengths.	5.1 - 15.0
C	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	15.1 - 25.0
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	25.1 - 40.0
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay.	40.1 - 60.0
F	Operation with delay unacceptable to most drivers occurring due to oversaturation, poor progression, or very long cycle lengths.	> 60.0

Source: Hexagon Transportation Consultants.

CMP Intersection Analysis

Major study intersections were also evaluated using the level of service standards and methodologies of the county Congestion Management Plan (CMP) which is administered by the VTA. The only difference between the San José and the CMP analyses is that the CMP level of service standard for signalized intersections is LOS E or better. The CMP intersections are noted in Table 10 by asterisks.

The level of service results for the CMP intersections under existing conditions are summarized in Table 10. The results indicate that, measured against the CMP level of service standards, all of the CMP study intersections currently operate at an acceptable LOS E or better.

Background Conditions

Background conditions are defined as conditions expected to exist just prior to completion of the proposed development. This provides a baseline against which to measure impacts resulting from the addition of project traffic. Traffic volumes for background conditions comprise volumes from existing traffic counts plus traffic generated by other approved developments in the vicinity of the site. Since these other developments have not yet been constructed, their traffic is not reflected in the analysis of existing conditions. The background analysis also considers planned roadway and other transportation improvements expected to be in place at the time of project completion.

TABLE 10
EXISTING AND BACKGROUND INTERSECTION LEVELS OF SERVICE

Intersection	Peak Hour	Existing		Background	
		Average Delay	LOS	Average Delay	LOS
Cottle Road and SR 85 (N) /c/*	AM	8.2	B	8.1	B
	PM	10.1	B	9.8	B
Cottle Road and SR 85 (S) /c/*	AM	20.5	C	26.6	D
	PM	21.0	C	19.7	C
US 101 and Silver Creek Valley Road*	AM	29.1	D	**	F
	PM	29.6	D	**	F
US 101 and Blossom Hill Road (W)*	AM	10.6	B	16.4	C
	PM	21.7	C	157.1	F
Monterey Rd. and Blossom Hill Rd. (N)*	AM	5.3	B	8.5	B
	PM	12.8	B	13.4	B
Monterey Rd. and Blossom Hill Rd. (S) /c/*	AM	15.8	C	16.2	C
	PM	17.8	C	24.7	C
Cottle Road and Santa Teresa Blvd.*	AM	28.2	D	50.5	E
	PM	27.2	D	36.6	D
Cottle Road and Beswick Drive	AM	24.4	C	15.8	C
	PM	45.3	E	46.1	E
Poughkeepsie Road and Blossom Hill Rd.	AM	8.5	B	18.3	C
	PM	9.3	B	15.7	C
Cottle Road and Concord Drive /c/	AM	21.6	C	17.7	C
	PM	33.1	D	29.1	D
Cottle Road and Poughkeepsie Road/c/	AM	20.4	C	22.5	C
	PM	24.7	C	26.1	D

/c/ Background conditions include planned improvements.

* Denotes CMP intersections.

** Intersection is oversaturated and average delays are excessive. Oversaturated conditions exceed the bounds of the level of service methodology.

Source: Hexagon Transportation Consultants

Background Roadway Network

Several intersection improvements are planned under background conditions. The intersection improvements are either part of the City of San José Capital Improvement Program (CIP) or have been mandated by the City as a condition of future development. These improvements are described below along with their funding sources.

Cottle Road and SR 85 (S)

The improvement at this intersection consists of adding a second exclusive eastbound left-turn lane. The resulting eastbound lane geometry will be two left-turn lanes, one shared through/left-turn lane, and two right-turn lanes. On-ramp access for the Cottle Road LRT park-and-ride lot (east leg of intersection) will be eliminated and the westbound shared through/left-turn lane will be converted to an exclusive left-turn lane. The resulting westbound lane geometry will be one left-turn lane and one right-turn lane. (Developer funded.)

Monterey Road and Blossom Hill Road (S)

A third northbound through lane will be added. (Edenvale Area 3 Improvement District.)

Cottle Road and SR 85 (N)

The west side of southbound Cottle Road will be widened from south of Beswick Drive to the SR 85 northbound on-ramp in order to accommodate a second southbound right-turn lane. To accommodate the second right-turn lane, the on-ramp will be widened to provide a receiving lane from Cottle Road to the ramp-metering light. (Edenvale Area 3 Improvement District.)

Cottle Road and Poughkeepsie Road

The existing northbound left-turn pocket will be extended and a second northbound left-turn pocket will be added. (Edenvale Area 3 Improvement District.)

Poughkeepsie Road and Blossom Hill Road

The improvements at this intersection include adding a westbound left-turn movement (two lanes) and replacing the direct movement from eastbound Blossom Hill Road to southbound Poughkeepsie Road with a signal-controlled right-turn lane. It should be noted that this improvement is already complete. However, at the time that traffic counts were collected at this intersection, construction was not yet under way. Therefore, this improvement project is not reflected in the traffic data collected for Existing Conditions and is included in Background Conditions. (Edenvale Community Facilities District.)

Background Bicycle and Pedestrian Facilities

Bicycle and pedestrian facilities under background conditions are assumed to remain unchanged from existing conditions.

Background Transit Service

Transit service under background conditions is assumed to remain unchanged from existing conditions.

Background Traffic Volumes

Background peak-hour traffic volumes were calculated by adding to existing volumes the estimated traffic from approved but not yet constructed developments. The data on approved project traffic was provided by the City in the form of the Approved Trips Inventory (ATI). Background traffic volumes also contain traffic associated with the vacant buildings on the project site. Since the existing buildings have been vacant for some time, their traffic does not show up in existing counts. Therefore, this traffic is assigned to the study intersections under Background Conditions and then subtracted from the project's trip assignment under Project Conditions to account for the traffic entitlements of the existing buildings.

Background Intersection Levels of Service

City of San José Analysis

The results of the intersection level of service analysis under background conditions are summarized in Table 10. The results show that, measured against the City of San José level of service standards, the following four signalized study intersections would operate at an unacceptable LOS E or worse under background conditions:

US 101 northbound off-ramp/Coyote Road and Silver Creek Valley Road
US 101 southbound off-ramp and Blossom Hill Road
Cottle Road and Santa Teresa Boulevard
Cottle Road and Beswick Drive

The remaining study intersections would operate at an acceptable LOS D or better.

CMP Intersection Analysis

The level of service results for the CMP intersections under background conditions are summarized in Table 10. The results show that, measured against the CMP level of service standards, the following two CMP study intersections would operate at an unacceptable LOS F under background conditions:

US 101 northbound off-ramp/Coyote Road and Silver Creek Valley Road
US 101 southbound off-ramp and Blossom Hill Road

The remaining CMP study intersections would operate at an acceptable LOS E or better.

2. Transportation Impacts

For purposes of this project, a transportation impact is considered significant if the project will:

- Cause a local City of San José intersection to deteriorate below LOS D, or if the intersection is already operating at an unacceptable LOS E or F under background conditions and the addition of project trips causes an increase in the critical-movement delay of four or more seconds and an increase in the critical demand-to-capacity ratio (V/C) of 0.01 or more; or

- Cause a local (other city) intersection to deteriorate below LOS D, or if the intersection is already operating at LOS E or F, cause an increase in the average stopped delay for the critical movement of four seconds or more; or
- Cause a regional CMP intersection to deteriorate from an LOS E or better to LOS F or cause critical movement delay at such an intersection operating at LOS F under background conditions to increase by four or more seconds and the critical V/C value to increase by 0.01 or more; or
- Cause a freeway segment to operate at LOS F, contribute traffic in excess of 1 percent of segment capacity to a freeway segment already operating at LOS F; or
- Impede the development or function of planned pedestrian or bicycle facilities; or
- Substantially impede the operation of a transit system as a result of congestion;
- Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks, etc.); or
- Substantially increase hazards due to a design feature (e.g., sharp curve or dangerous intersection) or incompatible land use; or
- Create an operational safety hazard; or
- Result in inadequate parking capacity or emergency access.

Transportation System Under Project Conditions

Future Roadway Network Under Project Conditions

Two intersection changes will be necessary, as described below, to provide site access.

Cottle Road and Concord Drive

This intersection currently does not have a southbound left-turn lane, or southbound left-turn phase in the signal cycle. Recommended improvements to this intersection consist of adding a southbound left-turn lane, and modifying the existing signal to include a southbound left-turn phase. The final lane geometry for the north approach would be one left-turn lane, two through lanes, and one right-turn lane. The eastbound shared through/left-turn lane should be converted to an exclusive left-turn lane. The final lane geometry on the west approach would be one left-turn lane, one through lane, and one right-turn lane. The east leg of the intersection (project egress) is planned to be redesigned to include one shared through/left-turn lane and one shared through/right-turn lane. The analysis of project conditions assumes that these improvements are in place.

Cottle Road and Endicott Boulevard

This intersection will be modified to reduce the potential for neighborhood cut-through traffic in the Hayes Avenue area. The inbound and outbound through movements will be eliminated. The only allowable outbound movement would be a left-turn onto southbound Cottle Road. The right-turn movement would require modifying the existing triangular landscaped island at the Cottle Road/Endicott Boulevard intersection. (This intersection modification is shown on Figure 6 and in greater detail in Appendix H of the traffic report, which is in Appendix F of this EIR.)

Transit Service Under Project Conditions

Transit service under project conditions is assumed to remain unchanged from existing conditions.

Bicycle and Pedestrian Facilities Under Project Conditions

Bicycle and pedestrian facilities under project conditions are assumed to remain unchanged from existing conditions.

Project Trip Estimates

The traffic produced by a new development and the locations where that traffic would appear are estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In determining project trip generation, the amount of traffic entering and exiting the site is estimated for the AM and PM peak hours. The AM peak hour of traffic is generally between 7:00 and 9:00 AM, and the PM peak hour is typically between 4:00 and 6:00 PM. It is during these periods that the most congested traffic conditions occur on an average weekday. It should be noted that the proposed project could generate more traffic during the weekend mid-day peak period than during the weekday peak commute periods. However, the ambient traffic levels during the weekend mid-day peak period are much lower than during the weekday peak commute periods. Therefore, the weekday AM and PM peak commute periods represent the critical time periods during which significant project impacts would most likely occur.

As part of the project trip distribution, an estimate is made of the directions to and from which the project trips would travel. In the project trip assignment, the project trips are assigned to specific streets and intersections. The trip generation, distribution, and assignment procedures are described in detail below.

Trip Generation

Lowe's Store

Through empirical research, data have been collected that correlate to common land uses their propensity for producing traffic. Thus, for the most common land uses there are standard trip generation rates that can be applied to help predict the future traffic increases that would result from a new development. The City has trip generation rates for a land use similar to the proposed Lowe's store: "Discount Store (i.e., Home Depot, etc.)." These rates are 1.4 trips per 1,000 square feet (s.f.) during the AM peak hour and 7.0 trips per 1,000 s.f. during the PM peak hour. These data were collected at Home Depot stores in the San José area. However, the project applicant indicated that the trip generation characteristics of a typical Lowe's store are different than those of a typical Home Depot store. Thus, the above rates applied by the City may not be representative of the proposed Lowe's store. In order to determine more applicable trip generation rates for the proposed Lowe's store, several trip generation surveys were conducted at two Lowe's Home Improvement stores in the Bay Area. The nearest Lowe's stores to San José are in Union City and Livermore. The trip generation rates that resulted from the surveys are 1.35 trips per 1,000 s.f. during the AM peak hour and 1.73 trips per 1,000 s.f. during the PM peak hour. The trip generation rates calculated from the surveys are lower than comparable City of San José and Institute of Transportation Engineers (ITE) rates. Due to the possibility that the calculated rates could underestimate the actual trip generation for the proposed Lowe's store in San José, City staff has determined that higher trip generation rates be used for the proposed Lowe's center. City staff approved the use of trip generation rates published by the San Diego Association of Governments (SanDAG) for Home Improvement Superstores be applied (i.e., 2.00 trips per 1,000 s.f. for the AM peak, and 3.20 trips per 1,000 s.f. for the PM peak hour. These rates are approximately 48 percent and 85 percent higher than the observed Lowe's rates for the AM and PM peak hours, respectively.

Therefore, trip generation rates published by SanDAG for home improvement superstores were used for the proposed Lowe's store. The total vehicle trips generated by the proposed project are referred to as gross project trips. On the basis of the SanDAG trip generation rates, the proposed Lowe's store is estimated to generate 323 gross AM peak hour trips and 517 gross PM peak hour trips.

Phase 2 Retail

The Phase 2 parcels on the project site will be developed with retail uses. However, at the time that the traffic analysis was prepared, it was not known what type of retail stores would be developed. Thus, land-use-specific trip generation rates could not be selected for the Phase 2 development. Instead, the City's "Neighborhood Shopping Center" trip generation rates were used since the Phase 2 development would be most similar to that land use. On the basis of the neighborhood shopping center trip generation rates, Phase 2 is estimated to generate 293 gross AM peak hour trips and 805 gross PM peak hour trips.

Pass-by Trips

Trip generation totals for retail uses are typically adjusted to account for pass-by trips. Pass-by trips are trips that would already be on the adjacent roadways (and therefore would already be counted in the background traffic volumes) but would turn into the site while passing by. Justification for applying the pass-by trip reduction is founded on the observation that such retail traffic is not actually generated by the retail development, but is already part of the ambient traffic levels. It is assumed that a portion of the total project traffic will be made up of traffic already on Blossom Hill Road and Cottle Road that will stop at the store while passing by. Since the standard trip generation rates reflect all trips associated with a development, including pass-by trips, the trip generation totals for the proposed project need to be adjusted using a pass-by reduction factor. The adjusted trip generation totals represent the new trips that would be generated by the project, which would be added to all of the study intersections.

Lowe's Store

Trip generation data published by the San Diego Association of Governments (SanDAG) indicates that pass-by trips from home improvement superstores make up approximately 15 percent of the total trips to the store. Based on these published data, it is assumed that 15 percent of the PM peak hour project trips will be pass-by trips, and the estimated project PM peak hour gross trip generation is reduced accordingly. Sufficient data on AM peak hour pass-by trips at retail developments are not available. Therefore, a pass-by reduction is not applied to the AM peak hour trip generation totals. Similarly, daily pass-by reductions are not applied because data on daily pass-by trips at retail developments are not available.

Phase 2 Retail

The City's trip generation data indicate that pass-by trips from retail developments make up approximately 25 percent of the total trips. Based on these data, it is assumed that 25 percent of the PM peak hour Phase 2 trips will be pass-by trips, and the estimated Phase 2 PM peak hour gross trip generation is reduced accordingly.

Trip Reduction for Existing Buildings

Because the project site is occupied by an existing land use (vacant research and development buildings), the site has an entitlement to produce the volume of traffic that is associated with

R&D buildings of this size. The trips associated with the site traffic entitlements were added to background traffic conditions to account for the traffic associated with the existing buildings on the project site, as if they were fully occupied. Since a portion of the project's impacts would be attributable to the traffic associated with the existing R&D buildings, which are already accounted for in the background condition, the trips associated with the existing traffic entitlements are subtracted from the gross project trip generation estimates.

Net Project Trip Generation

After making adjustments to account for pass-by trips and existing traffic entitlements, the project (Lowe's and Phase 2 retail) would generate 278 net inbound trips and 224 net outbound trips during the AM peak hour and 512 net inbound and 431 net outbound trips during the PM peak hour.

The project trip generation estimates are presented in Table 11.

TABLE 11
PROJECT TRIP GENERATION ESTIMATES

Land Use	Size	Daily		AM Peak Hour				PM Peak Hour			
		Rate ¹	Trips	Peak-Hour Rate ¹	In	Out	Total	Peak-Hour Rate ¹	In	Out	Total
Existing Uses											
R&D (existing buildings)	89.4 ksf	8.0	715	1.28	92	22	114	1.12	10	90	100
Proposed Land Uses											
Phase 1 - Lowe's Center	161.7 ksf ²	40.0	6,468	2.00	194	129	323	3.20	259	259	517
Pass-by Reduction (15%)									-39	-39	-78
Net Phase 1 Peak-Hour Trips ³					194	129	323		220	220	440
Phase 2 - Shopping Center Retail	61.0 ksf ⁴	120.0	7,320	4.80	176	117	293	13.20	403	402	805
Pass-by Reduction (25%)									-101	-101	-202
Net Phase 2 Peak-Hour Trips ⁵					176	117	293		302	301	603
Net Project Peak-Hour Trips			13,073		278	224	502		512	431	943

1 Rates expressed in trips per 1,000 square feet of retail space.

2 Includes 27,100 s.f. garden center

3 Net peak-hour trips are equal to gross trips minus pass-by trips and trips from existing uses (which are accounted for under 'Background Conditions.')

4 After the traffic impact analysis was completed, this floor area was reduced to 60,000 square feet. Therefore, this analysis reflects a slightly larger project than is currently proposed.

5 Net peak-hour trips are equal to gross trips minus pass-by trips.

Source: Hexagon Transportation Consultants

Trip Distribution and Assignment

The trip distribution pattern for the proposed project was estimated based on existing travel patterns on the surrounding roadway system and the locations of complementary land uses. The gross peak-hour trips generated by the proposed development were assigned to the roadway system in accordance with the trip distribution pattern, then the assignment of existing traffic entitlements was subtracted from the study intersections.

Under existing conditions, some existing Hitachi traffic exits the campus during the PM peak hour at the Cottle Road/Concord Drive intersection. However, with the development of the proposed project, existing Hitachi traffic would no longer have access to the driveway at Concord Drive. As a result, Hitachi traffic currently exiting at Concord Drive would be shifted to the Poughkeepsie Road access point. Existing counts indicate that approximately 190 vehicles exit the Hitachi site at the Concord Drive driveway during the PM peak hour. This traffic was reassigned to the Poughkeepsie Road access point under project conditions.

Exhibits showing trip distribution and assignment are included in the traffic report contained in Appendix F of this EIR.

Intersection Level of Service Impacts

City of San José LOS Impacts

The results of the level of service analysis under project conditions are summarized in Table 12. The results show that, measured against the City of San José level of service standards, the following two signalized intersections would be subject to significant impacts resulting from project traffic:

US 101 northbound off-ramp/Coyote Road and Silver Creek Valley Road
US 101 southbound off-ramp and Blossom Hill Road

These impacts are described in detail below. The remaining study intersections would not be significantly impacted by the project according to City of San José level of service standards.

US 101 northbound off-ramp/Coyote Road and Silver Creek Valley Road

This intersection is projected to operate at level of service F during the PM peak hour under background conditions, and the addition of project traffic would cause the critical-movement delay to increase by more than four seconds and the demand-to-capacity ratio (V/C) to increase by more than 0.01. This constitutes a significant impact under City of San José standards.

US 101 southbound off-ramp and Blossom Hill Road

This intersection is projected to operate at level of service F during the PM peak hour under background conditions, and the addition of project traffic would cause the critical-movement delay to increase by more than four seconds and the demand-to-capacity ratio (V/C) to increase by more than 0.01. This constitutes a significant impact under City of San José standards.

CMP Level of Service Impacts

The level of service results for the CMP study intersections under project conditions are summarized in Table 12. The results show that the two intersections identified above as being significantly impacted according to City standards also would be significantly impacted by the project according to the CMP level of service standards.

Edenvale Area Development Policy

The proposed project is located within the Edenvale Area Development Policy (EADP) area, primarily encompassing the Edenvale Redevelopment project areas in south San Jose. The Area Development Policy was adopted to provide for the timely approval of up to 5 million square feet of development in Edenvale ahead of the programmed transportation improvement projects at the gateway locations of the U.S. 101/Blossom Hill Road interchange and U.S. 101/Hellyer Avenue interchange. The policy allows interim congestion levels, which exceed the LOS policy standards at these gateway intersections, until the gateway improvements are constructed. When the EADP was adopted in the year 2000, a level of additional development on the proposed Lowe's project site on the IBM campus had not yet been determined and was therefore not specifically addressed by this policy.

The Edenvale Area Development Policy is proposed to be amended to include the future economic development square footage of the proposed project on the underutilized IBM site, which will allow that economic development to be achieved in a timely manner consistent with other development in Edenvale. The ultimate capacity of the "gateway" improvements, which are moving into a design and final costing phase in 2004 with Redevelopment Agency commitment, will accommodate the proposed Lowe's project. Thus implementation of the gateway improvements would improve intersection operations to acceptable levels under project conditions. However, the Gateway improvements are not anticipated to be completed for some years. The project will be required to make a fair-share contribution toward the Edenvale Area transportation improvements, consistent with fair-share contributions made by other Edenvale industrial and commercial occupants. Inclusion of the project development in the Edenvale Area Development Policy area would allow the proposed project to proceed and be in conformance with the General Plan Level of Service policy.

Freeway Analysis

The results of the freeway analysis show that the number of net project trips on the study freeway segments would not be greater than one percent of the capacity of any segment. Thus, according to CMP guidelines, the project would not contribute to any significant impacts on the nearby freeway segments subject to heaviest traffic volumes from the project.

Intersection Operations Analysis

The analysis of intersection levels of service was supplemented with an analysis of intersection *operations* for selected locations where queuing from the project could be substantial. Two locations were analyzed as discussed in detail below.

TABLE 12

EXISTING, BACKGROUND, AND PROJECT INTERSECTION LEVELS OF SERVICE

Intersection	Peak Hour	Existing Conditions		Background Conditions		Project Conditions							
						Phase 1 - Lowe's				Project Buildout Conditions			
						Avg. Delay (sec.)	LOS	Incr. in Crit. V/C /a/	Incr. in Crit. Delay /a/	Avg. Delay (sec)	LOS	Incr. in Crit. V/C /a/	Incr. in Crit. Delay /a/
Cottle Road & SR 85 (N) /b/*	AM	8.2	B	8.1	B	8.0	B	0.006	0.0	7.9	B	0.011	-0.1
	PM	10.1	B	9.8	B	8.8	B	-0.040	-1.1	9.7	B	-0.001	0.0
Cottle Road & SR 85 (S) /b/*	AM	20.5	C	26.6	D	26.9	D	0.002	0.6	28.7	D	0.012	3.3
	PM	21.0	C	19.7	C	19.9	C	0.009	0.2	20.1	C	0.023	0.7
US 101 & Silver Creek Valley Rd. *	AM	29.1	D	320.9	F	**	F	**	**	**	F	**	**
	PM	29.6	D	900.0	F	**	F	**	**	**	F	**	**
US 101 & Blossom Hill Road (W) *	AM	10.6	B	16.4	C	16.6	C	0.005	0.2	17.3	C	0.019	1.0
	PM	21.7	C	157.1	F	169.3	F	0.016	12.6	188.2	F	0.039	31.2
Monterey Rd. & Blossom Hill (N) *	AM	5.3	B	8.5	B	8.5	B	0.000	0.0	8.5	B	0.000	0.0
	PM	12.8	B	13.4	B	13.8	B	0.007	0.6	14.8	B	0.020	1.8
Monterey & Blossom Hill (S) /b/*	AM	15.8	C	16.2	C	16.7	C	0.009	0.7	17.3	C	0.017	1.5
	PM	17.8	C	24.7	C	24.5	D	0.018	2.5	30.5	D	0.048	8.0
Cottle Road & Santa Teresa Blvd. *	AM	28.2	D	50.5	E	52.1	E	0.005	1.9	53.9	E	0.011	3.9
	PM	27.2	D	36.6	D	37.7	D	0.008	1.1	39.9	D	0.027	4.1
Cottle Road & Beswick Drive	AM	24.4	C	15.8	C	15.8	C	0.004	0.0	15.7	C	0.014	-0.2
	PM	45.3	E	46.1	E	46.3	E	0.005	0.6	47.5	E	0.022	2.7
Poughkeepsie Rd. & Blossom Hill	AM	8.5	B	18.3	C	18.3	C	0.004	0.0	18.3	C	0.009	0.1
	PM	9.3	B	15.7	C	18.8	C	0.115	3.5	18.9	C	0.122	3.5
Cottle Road & Concord Drive /b, c/	AM	21.6	C	17.2	C	25.5	D	0.298	9.0	26.0	D	0.342	9.8
	PM	33.1	D	29.1	D	30.2	D	-0.057	0.4	37.4	D	0.083	11.0
Cottle Rd. & Poughkeepsie Rd. /b/	AM	20.4	C	22.5	C	22.5	C	0.005	0.0	22.5	C	0.021	0.0
	PM	24.7	C	26.1	D	28.0	D	0.061	2.0	28.1	D	0.087	2.5

/a/ Change measured relative to background conditions.

/b/ Background, project, and cumulative conditions include planned improvements.

/c/ Lowe's Phase 1 and Project Buildout conditions include project-sponsored improvements.

* Denotes CMP intersection.

** Intersection is oversaturated and average delays are excessive. Oversaturated conditions exceed the bounds of the level of service methodology.

Significant impacts are shown in **bold**.

Source: Hexagon Transportation Consultants

Cottle Road and Concord Drive/Project Driveway

The operations analysis indicates that the following queuing condition would exist under project buildout conditions:

Eastbound - The analysis indicates that the eastbound through movement (project egress) would have adequate storage capacity to accommodate the estimated maximum vehicle queues for that movement under project conditions.

Southbound - The southbound left-turn queue under project buildout conditions would be 14 vehicles and the planned left-turn pocket would accommodate 8 vehicles.

Westbound - The estimated maximum vehicle queues in the shared westbound through/right-turn pocket and shared westbound through/left-turn lane (project egress) could extend beyond the cross aisle in the parking lot. The maximum queue length is estimated to be up to 260 feet. There is approximately 180 feet of storage space before the first cross aisle and approximately 370 feet to the front of the Lowe's store. This potential queuing problem would not affect the operations of the Cottle Road/Concord Drive intersection, but could affect traffic circulation in the project parking lot since the outbound queue could potentially block the cross aisle.

It should be noted that the assignment of outbound traffic at the site driveways was done based on site layout. This assignment assumes that 30 percent of outbound traffic destined for eastbound Blossom Hill Road and southbound Cottle Road would use the Endicott Boulevard/Cottle Road driveway. This assignment is a fair estimation of how project traffic would circulate around the site under normal traffic conditions. However, under peak-queuing conditions, the signalized project access point may be less desirable for outbound traffic due to long vehicle queues. Under such conditions, traffic would tend to balance among the driveways such that the wait (i.e., queue) at each driveway would be similar. In such a case, more outbound traffic would use the Endicott driveway, which would reduce the queues at the signalized driveway at Cottle Road and Concord Drive.

In order to better accommodate peak vehicle queues under project buildout conditions, Hexagon recommends that the Cottle Road/Concord Drive intersection be modified to allow two outbound lanes as far onto the site as is practicable. A combination of increased storage capacity for outbound vehicles and a shift of traffic to the other driveways to balance outbound queues would significantly improve traffic operations on the site. This improvement would require widening the main parking lot entrance aisle. The southbound left-turn pocket at the Cottle Road/Concord Drive intersection should be designed to provide 280 feet of vehicle storage space.

Eastbound Blossom Hill Road On-Ramp from Cottle Road

A qualitative analysis of the effect of project traffic on the operations of the eastbound Blossom Hill Road on ramp also was performed. Peak hour field observations of the Cottle Road/Concord Drive intersection reveal that the progression of traffic in the northbound left-turn pockets is affected by the traffic merge (from two lanes to one) that occurs in the first 100 feet of the on ramp. Traffic flow on the ramp improves once traffic on the ramp merges to one lane and is only moderately affected by the weaving section between the end of the on ramp from Cottle Road and the beginning of the off-ramp to Monterey Road. However, the influence of the weaving section is not significant enough to affect traffic operations on the on-ramp from Cottle Road. The heaviest turning movement on to the ramp from the Cottle Road/Concord Drive intersection is the

left-turn movement from northbound Cottle Road. There is relatively little traffic added to the ramp from southbound Cottle Road. Thus, when the northbound left-turn movement receives a red indication from the traffic signal, the queue on the ramp dissipates, allowing other movements to progress onto the ramp. Since the peak hour volume of traffic entering the eastbound Blossom Hill Road on-ramp from the project site would be relatively low during the PM peak hour, the ramp would have adequate capacity to accommodate the additional traffic on the ramp generated by the project and by the Phase 2 development. However, Hexagon recommends one improvement to provide for better progression of traffic with the addition of the project and the Phase 2 development.

It is recommended that the signal phasing be modified for the Cottle Road/Concord Drive intersection to allow maximum time for the queue on the ramp to clear before the traffic exiting the project site receives a green indication from the signal. This can be accomplished by adjusting the signal phasing so that the northbound left-turn phase is followed by the phase serving the eastbound movements (eastbound Blossom Hill Road off ramp), which would be followed by the phase serving the traffic exiting the project site.

Hayes Avenue and Blossom Hill Road Westbound Ramps Operations Analysis

During a community meeting held for the project, neighbors raised the concern about potential operational problems caused by the project at the intersection of Hayes Avenue and Blossom Hill Road Westbound Ramps/Endicott Boulevard. No operational problems were observed in the field and sight distances at this intersection are adequate. Additionally, the intersection would not meet signal warrants with the addition of project-generated traffic. Therefore, no improvements are recommended at this location.

Project Traffic in the Hayes Avenue Area Neighborhood

During a community meeting held for the project, neighbors raised the concern about potential cut-through traffic in the areas of Hayes Avenue, Apple Blossom Drive, and Pecan Blossom Drive. These are residential areas to the north of the project site located near Hayes Avenue. City staff has required that the inbound and outbound through movements at the Endicott Boulevard/Cottle Road project driveway be eliminated to discourage cut-through traffic in the Hayes Avenue area neighborhood. The changes to the intersection are described above under “Future Roadway Network Under Project Conditions,” and are shown on Figure 6 and in greater detail in Appendix H of the traffic report (which is in Appendix F of this EIR).

Site Access and Circulation

The project site plan shows the proposed site layout with the Lowe’s store situated on the east side of the site. The garden center is located on the north side of the building. Three access points are proposed for the project site. A full-access signalized driveway on Cottle Road at Concord Drive would act as the primary access point to the site. A right-turn only driveway on Cottle Road between Concord Drive and Poughkeepsie Road would provide right-turn only access to the site for northbound traffic on Cottle Road, and would serve as the inbound driveway for truck traffic. A secondary project driveway on Cottle Road at Endicott Boulevard would provide an additional access point for auto traffic on Cottle Road, and would provide an outbound truck access point.

Site Access

The proposed site driveway at Concord Drive would have a 20-foot inbound lane and two 13-foot outbound lanes. This driveway has 25-foot curb radii and a throat length, or distance to the nearest turning or parking opportunity from the driveway, of 180 feet. The proposed site driveway at Endicott Boulevard would allow inbound right turns and outbound left turns. This driveway is a 26-foot curb-cut driveway (i.e., there is no rounded curb return where the driveway intersects the curb line on the street). The Endicott Boulevard driveway has a throat length of 70 feet. The right-turn only driveway on Cottle Road is a 40-foot curb-cut driveway with a throat length of 90 feet. Hexagon has determined that the proposed designs of the site driveways are sufficient for two-way traffic and are adequate to accommodate all required automobile turning movements into and out of the project site. The throat lengths on the proposed driveways are sufficient to allow incoming vehicles to queue on-site without affecting traffic operations on the adjacent streets.

Analysis of the driveway and roadway geometry associated with the site revealed that a 30-foot single-unit truck and a 40-foot tractor-trailer truck would be able to make all required turning movements at the right-turn only and Endicott Boulevard driveways. (No truck ingress or egress would be allowed at the main project entrance at Concord Drive.) The main signalized driveway at Concord Drive was evaluated for access by a 30-foot single unit truck to be sure that emergency vehicles could enter and exit the site at this location. This procedure revealed that a 30-foot single-unit truck would be able to make all required turning movements at the signalized driveway.

On-Site Circulation

The site plan shows drive aisle widths of 26 feet throughout the parking lot, except for those drive aisles that provide direct access to the project signalized driveway and the right-turn only driveways, which are 35 feet wide. The proposed drive aisle widths are adequate to accommodate mid-size to full-size cars with 90-degree parking stalls. The curb radii on the drive aisles are sufficient to allow automobiles to circulate efficiently throughout the parking lot.

The site design is adequate to allow a single-unit 30-foot emergency vehicle to circulate throughout the site. The site layout is also adequate to allow a 40-foot tractor-trailer truck to enter at the right-turn only driveway and circulate along the back side of the Lowe's building to the loading dock at the northeast corner of the building. Trucks exiting the loading dock can pull forward and exit at the Endicott Boulevard driveway, turning left on Cottle Road.

Truck Traffic

The Lowe's center would account for the majority of truck traffic associated with the project. Up to ten truck deliveries per week would occur at the Lowe's store. The majority of the deliveries would occur Monday through Friday between the hours of 7 AM and 5 PM when the delivery dock crew is at the store. The delivery trucks will be tractor-trailer trucks, which will travel to and from the site via US 101. Inbound delivery trucks will exit US 101 onto westbound Blossom Hill Road, turn left onto Poughkeepsie Road, turn left onto Cottle Road, and enter the site at the right-turn only driveway. Upon entering the site, trucks would circulate to the back of the building and maneuver into the loading dock using the 50-foot turn around circle near the loading dock. After off-loading, the tractor-trailer truck will pull forward from the loading dock, exit the site at Endicott Boulevard, turn left on Cottle Road, and turn right on the eastbound Blossom Hill Road on-ramp to access US 101. At no time shall delivery vehicles traveling to or from the proposed project site use residential/neighborhood streets. An analysis of the street widths and intersection designs along the inbound and outbound routes indicates that the streets and

intersections can accommodate truck traffic. A figure showing the proposed truck circulation in the study area is contained in Appendix I of the traffic report.

In addition to taking deliveries from Lowe's company-owned tractor-trailer trucks, the Lowe's store would receive up to 50 deliveries per week from smaller delivery vehicles, including delivery vans, single-unit trucks, and small tractor-trailer trucks. These deliveries could occur throughout the day on weekdays and weekends. The majority of these deliveries would come from U.S. 101 and would follow the truck circulation pattern described above. Some of the other smaller vehicles could come from other directions depending on the routing and point of origin of the particular vehicle; however, they will be restricted from using residential/neighborhood streets in getting to or from the proposed project site.

Parking

The various buildings proposed for the site would have a shared parking lot, with a total parking supply of 855 automobile parking spaces, 48 motorcycle parking spaces, and 58 bicycle parking spaces (both motorcycle and bicycle parking are provided at rates that exceed the City requirement of one per 20 auto parking spaces, per the Bicycle and Motorcycle Parking Standards of the City Zoning Ordinance). The City's parking requirement for retail developments is one space per 200 net square feet of building area, and for sit-down restaurants the requirement is one space per 40 square feet of dining area, or one space per 2.5 seats, whichever requires the greatest number of spaces (however, since the number of restaurant seats has not determined, the one space per 40 square feet standard was applied). At these ratios, the 53,000 square feet of retail (45,050 net square feet) would require 226 parking spaces, and the 7,000 square foot restaurant would require 88 spaces (assuming the dining area occupies 50 percent of the total floor area). The remainder of the parking on the site devoted to the Lowe's store would be 541 parking spaces. This works out to a parking ratio of 3.11 spaces per 1,000 gross square feet (or 3.94 spaces per 1,000 square feet of net floor area, based on 137,422 net square feet). This would not meet the City's parking requirement for retail uses; however, the project applicant indicates that parking demand at Lowe's stores typically is not as intense as at other retail uses.

To check whether the proposed parking supply for the Lowe's store would be adequate, Hexagon conducted several parking generation surveys at two Lowe's Home Improvement stores in the Bay Area to determine the approximate parking demand for the proposed Lowe's store. The closest Lowe's stores to San Jose are in Livermore and Union City. The Livermore store has about 510 parking spaces, which equates to about 3.1 spaces per 1,000 square feet of gross floor area. The Union City store has 512 parking spaces or about 3.2 spaces per 1,000 square feet of gross floor area.

Parking generation surveys were conducted during peak parking times at these two stores. For retail uses such as the proposed Lowe's store, peak parking demand typically occurs on weekend afternoons. Therefore, the parking surveys were conducted from 12:30 to 3:30 PM on two separate occasions, Saturday February 22 and Saturday March 1. The objective of the parking surveys was to calculate the parking demand (or parking ratio) at the two existing stores. The parking ratio is expressed in number of occupied spaces per 1,000 square foot of gross floor area. The survey results and the calculated parking ratios are contained in Appendix J of the traffic report.

During the parking surveys described above, the highest observed parking ratio was 1.86 spaces per 1,000 square feet of gross floor area. This observed parking demand is significantly lower than the proposed parking supply (3.11 spaces per 1,000 gross square feet) for the proposed Lowe's store in San Jose. Thus, the proposed parking supply should be adequate to

accommodate the expected parking demand at the proposed Lowe's store.

Pedestrian Access and On-Site Pedestrian Circulation

The site design allows for good pedestrian access and on-site circulation. Striped handicap/pedestrian walkways are provided from the storefront to the handicap parking stalls and to the Cottle Road/Concord Drive intersection and the planned sidewalk along the Cottle Road site frontage. Additionally, a raised 9-foot wide pedestrian walkway is provided between two rows of parking spaces, which extends from the handicap parking spaces westward toward Cottle Road. At that point, a striped pedestrian walkway continues to the sidewalk at the Cottle Road/Concord Drive intersection. Wheelchair ramps are provided on each end of the raised walkway and from the Cottle Road sidewalk to the striped pedestrian walkway that leads to the raised walkway. Parking drive aisles are oriented toward the Lowe's store front so as to minimize the number of drive aisles that pedestrians must cross in getting from their car to the store front and vice versa.

Off-Site Bicycle and Pedestrian Circulation

Bicycle facilities would not be affected by the project. The project would not result in any physical change to these facilities, and the additional demand for bicycle facilities generated by the project would be met by existing and planned bicycle facilities in the project area. The project itself will include racks to accommodate 58 bicycles.

Existing and planned project sponsored pedestrian facilities are adequate to accommodate project generated pedestrian traffic. The project proposes to install sidewalks on the project frontage on Cottle Road. A sidewalk is also planned to be installed by the project along the northern boundary of the project site, adjacent to the railroad tracks. This sidewalk will connect planned pedestrian facilities on Cottle Road with future facilities planned by the City of San José, including pedestrian facilities on Boulder Boulevard and ultimately a planned pedestrian overcrossing over the Monterey Road/Union Pacific Railroad corridor at Ford Road. (However, since these planned facilities are on private property owned by Hitachi, the timing and feasibility of their implementation is uncertain.)

Transit Service

The project would not have an adverse affect on transit service in the project area. No transit routes would be affected by the development of the proposed project and subsequent closure of Endicott Boulevard between Cottle Road and Boulder Boulevard, since both VTA bus routes that operate on the IBM campus currently do not use this segment of Endicott Boulevard.

3. Mitigation Measures

Level of Service Impacts

The following mitigation measures would restore intersection level of service to background conditions or better.

- US 101 northbound off-ramp/Coyote Road and Silver Creek Valley Road. The improvement required to mitigate the impact at this intersection is the addition of a third westbound through lane on Blossom Hill Road/Silver Creek Valley Road or the addition of a second northbound right-turn lane on the off-ramp. With implementation of either of these

improvements, the intersection operations would be improved better than background conditions.

- US 101 southbound off-ramp and Blossom Hill Road. The improvement required to mitigate the impact at this intersection is the addition of a third westbound through lane on Blossom Hill Road. This improvement includes widening the westbound Blossom Hill Road overcrossing structure. With implementation of this improvement, the intersection operations would be improved to LOS D during the PM peak hour and LOS C during the AM peak hour, which is better than background conditions for the PM peak hour and equivalent to background conditions in the AM peak hour.

The improvements necessary to accommodate future traffic volumes at the U.S. 101/Blossom Hill Road interchange will require substantial reconstruction of the interchange, including the improvements described above. This reconstruction is included in the Edenvale Area Development Policy. With the pending policy amendment to include the project site within the area covered by the Edenvale Development Area Policy, as discussed above, the project would conform with the City's General Plan Level of Service policy. The project will be required to make a fair-share contribution toward Edenvale area transportation improvements, consistent with fair-share contributions made by other Edenvale industrial and commercial occupants.

Site Access and Circulation

The proposed project would not result in or be subject to significant site access and circulation impacts, and therefore no mitigation is necessary or proposed.

Parking

The proposed project would not result in significant parking impacts, and therefore no mitigation is necessary or proposed.

Off-Site Bicycle and Pedestrian Circulation

Bicycle facilities would not be affected by the project. Existing pedestrian facilities and project-sponsored pedestrian facilities will be adequate to accommodate project-generated pedestrian traffic. No mitigation is necessary or proposed.

Transit Service

The project would not have an adverse affect on transit service in the project area, and therefore no mitigation is necessary or proposed.

Conclusion: With the proposed policy amendment to include the economic development of the project site within the area covered by the Edenvale Area Development Policy, as discussed above, the project would conform with the City's General Plan Level of Service policy. **(Less-than-Significant Impact with Mitigation)**

I. AIR QUALITY

The following discussion is based on the air quality impact analysis prepared by Don Ballanti in June 2003. The air quality report is contained in Appendix G of this EIR.

1. Existing Setting

Factors Influencing Air Quality

The project site lies within the north-central portion of Santa Clara Valley. The Valley is oriented northwest-southeast and is bounded by mountains to the west, east, and south and by San Francisco Bay to the north. In addition to the many local sources of pollution, emissions from San Francisco, San Mateo and Alameda Counties are carried by prevailing winds to the Valley, making it a major pollutant receptor. During summer and fall, emissions generated within, and those transported to the Valley can combine with abundant sunshine under the restraining influences of topography and temperature inversions to create conditions that are conducive to the formation of photochemical pollutants, like ozone.

Air Quality Regulations, Plans and Policies

Ambient Air Quality Standards

Both the U. S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for common pollutants. These ambient air quality standards are levels of contaminants which represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called “criteria” pollutants because the health and other effects of each pollutant are described in criteria documents. Table 13 identifies the major criteria pollutants, and describes their characteristics, health effects and typical sources.

The federal and state ambient air quality standards are summarized in Table 14 for important pollutants. The federal and state standards were developed independently with differing purposes and methods, although both processes attempted to avoid health-related effects. As a result, the federal and state standards differ in some cases. In general, the California state standards are more stringent. This is particularly true for ozone and PM₁₀.

In 1997, the U.S. Environmental Protection Agency adopted new national air quality standards for ground-level ozone and for fine Particulate Matter. The existing 1-hour ozone standard of 0.12 PPM or less is to be phased out and replaced by an 8-hour standard of 0.08 PPM. New national standards for fine Particulate Matter (diameter 2.5 microns or less) have also been established for 24-hour and annual averaging periods. The current PM₁₀ standards were retained, but the method and form for determining compliance with the standards were revised.

In addition to the criteria pollutants, Toxic Air Contaminants (TACs) are another group of contaminants of concern, particularly since they are injurious in small quantities. The identification, regulation and monitoring of TACs is relatively recent compared to that for criteria pollutants.

TABLE 13
MAJOR CRITERIA POLLUTANTS

Pollutant	Characteristics	Health Effects	Major Sources
Ozone	A highly reactive photochemical pollutant created by the action of sunshine on ozone precursors (primarily reactive hydrocarbons and oxides of nitrogen. Often called photochemical smog.	<ul style="list-style-type: none"> •Eye irritation. •Respiratory function impairment. 	The major sources of ozone precursors are combustion sources such as factories and automobiles, and evaporation of solvents and fuels.
Carbon Monoxide	Carbon monoxide is an odorless, colorless gas that is highly toxic. It is formed by the incomplete combustion of fuels.	<ul style="list-style-type: none"> •Impairment of oxygen transport in the bloodstream. •Aggravation of cardiovascular disease. •Fatigue, headache, confusion, dizziness. •Can be fatal in the case of very high concentrations. 	Automobile exhaust, combustion of fuels, combustion of wood in woodstoves and fireplaces.
Nitrogen Dioxide	Reddish-brown gas that discolors the air, formed during combustion.	<ul style="list-style-type: none"> •Increased risk of acute and chronic respiratory disease. 	Automobile and diesel truck exhaust, industrial processes, fossil-fueled power plants.
Sulfur Dioxide	Sulfur dioxide is a colorless gas with a pungent, irritating odor.	<ul style="list-style-type: none"> •Aggravation of chronic obstruction lung disease. •Increased risk of acute and chronic respiratory disease. 	Diesel vehicle exhaust, oil-powered power plants, industrial processes.
PM ₁₀	Solid and liquid particles of dust, soot, aerosols and other matter which are small enough to remain suspended in the air for a long period of time.	<ul style="list-style-type: none"> •Aggravation of chronic disease and heart/lung disease symptoms. 	Combustion, automobiles, field burning, factories and unpaved roads. Also a result of photochemical processes.

Source: Donald Ballanti

Ambient Air Quality

The Bay Area Air Quality Management District (BAAQMD) monitors air quality at several locations within the San Francisco Bay Air Basin. The nearest multi-pollutant monitoring site to the project is in downtown San José on Fourth Street. Table 15 summarizes exceedances of state and federal standards at the downtown San José monitoring site during the period 1999 through 2001. Table 15 shows that ozone and PM₁₀ exceed the state standards in the South Bay. Violations of the carbon monoxide standards had been recorded at the downtown San José site prior to 1992.

Of the three pollutants known to occasionally exceed the state and federal standards in the project area, ozone and PM₁₀ are considered regional pollutants in that concentrations are not determined by proximity to individual sources, but show a relative uniformity over a region. Thus the data shown in Table 15 for ozone and PM₁₀ provide a good characterization of levels of these

pollutants on the project site. Carbon monoxide is a local pollutant, i.e., high concentrations are normally only found very near sources. Since the major source of carbon monoxide is automobile traffic, elevated concentrations are usually only found near areas of high traffic volumes.

TABLE 14
FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS

Pollutant	Averaging Time	Federal Primary Standard	State Standard
Ozone (O ₃)	1-Hour	0.12 PPM	0.09 PPM
	8-Hour	0.08 PPM	--
Carbon Monoxide (CO)	8-Hour	9.0 PPM	9.0 PPM
	1-Hour	35.0 PPM	20.0 PPM
Nitrogen Dioxide (NO ₂)	Annual Average	0.05 PPM	--
	1-Hour	--	0.25 PPM
Sulfur Dioxide (SO ₂)	Annual Average	0.03 PPM	--
	24-Hour	0.14 PPM	0.05 PPM
	1-Hour	--	0.5 PPM
PM-10	Annual Average	50 µg/m ³	30 µg/m ³
	24-Hour	150 µg/m ³	50 µg/m ³
PM-2.5	Annual Average	15 µg/m ³	--
	24-Hour	65 µg/m ³	--

Source: Donald Ballanti
PPM = Parts per Million
µg/m³ = Micrograms per Cubic Meter

Attainment Status and Regional Air Quality Plans.

The federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate portions of the state where the federal or state ambient air quality standards are not met as “nonattainment areas.” Because of the differences between the national and state standards, the designation of nonattainment areas is different under the federal and state legislation.

The Bay Area has attained all federal standards with the exception of ozone. In 1998, the U.S. Environmental Protection Agency reclassified the Bay Area from “maintenance area” to nonattainment for ozone based on violations of the federal standards at several locations in the air

basin. This reversed the air basin's 1995 reclassification to "maintenance area" for ozone. Reclassification required an update to the region's federal air quality plan.

TABLE 15
SUMMARY OF AIR QUALITY DATA FOR DOWNTOWN SAN JOSÉ

Pollutant	Standard	Days Exceeding Standard in:		
		1999	2000	2001
Ozone	State 1-Hour	3	0	1
Ozone	Federal 1-Hour	0	0	0
Ozone	Federal 8-Hour	0	0	0
Carbon Monoxide	State/Federal 8-Hour	0	0	0
Nitrogen Dioxide	State 1-Hour	0	0	0
PM ₁₀	State 24-Hour	5	2	2
PM ₁₀	Federal 24-Hour	0	0	0
PM _{2.5}	Federal 24-Hour	2	0	0

Source: Donald Ballanti

Under the California Clean Air Act, Santa Clara County is a nonattainment area for ozone and PM₁₀. The county is either attainment or unclassified for other pollutants. The California Clean Air Act requires local air pollution control districts to prepare air quality attainment plans. These plans must provide for district-wide emission reductions of five percent per year averaged over consecutive three-year periods, or if not, provide for adoption of "all feasible measures on an expeditious schedule."

Sensitive Receptors

The BAAQMD defines sensitive receptors as facilities where sensitive receptor groups (children, the elderly, the acutely ill, and the chronically ill) are likely to be located. These land uses include residences, schools, playgrounds, child care centers, retirement homes, convalescent homes, hospitals, and medical clinics.

The nearest sensitive receptor to the project site is the community and senior center located across Cottle Road from the site. The closest residences to the project site are located on the northwest side of Blossom Hill Road.

2. Air Quality Impacts

For purposes of this project, an air quality impact is considered significant if the project will:

- Conflict with or obstruct implementation of the applicable air quality plan; or
- Violate any ambient air quality standard or contribute substantially to an existing or projected

- air quality violation, or expose sensitive receptors to substantial pollutant concentrations; or
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors); or
- Create objectionable odors; or
- Expose sensitive receptors or the general public to substantial levels of toxic air contaminants.

The *BAAQMD CEQA Guidelines* further refine the above thresholds, providing the following definitions of a significant air quality impact:

- A project contributing to carbon monoxide (CO) concentrations exceeding the State Ambient Air Quality Standard of 9 parts per million (ppm) averaged over 8 hours or 20 ppm of 1 hour would be considered to have a significant impact.
- A project that generates criteria pollutant emissions in excess of the BAAQMD annual or daily thresholds would be considered to have a significant air quality impact. The current thresholds are 15 tons per year or 80 pounds per day for Reactive Organic Gases (ROG), Nitrogen Oxides (NO_x) project PM₁₀. Any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact.
- Any project with the potential to frequently expose members of the public to objectionable odors would be deemed to have a significant impact.
- Any project with the potential to expose sensitive receptors and the general public to substantial levels of toxic air contaminants would be deemed to have a significant impact. For substances that are carcinogenic, an exposure is significant if the probability of contracting cancer for the Maximally Exposed Individual (MEI) exceeds 10 in one million.

The BAAQMD significant threshold for construction dust impact is based on the appropriateness of construction dust controls. The BAAQMD guidelines provide feasible control measures for construction emission of PM₁₀. If the appropriate construction mitigations are implemented, then air pollutant emissions for construction activities would be considered less-than-significant.

Construction-Related Impacts

The proposed project would require demolition of existing buildings which has a high potential for creating air pollutants. In addition to the dust created during demolition, substantial dust emissions could be created as debris is loaded into trucks for disposal or during on-site crushing and recycling of concrete and asphalt rubble. The control of emissions from processing of recycled materials is accomplished through the permit process of the BAAQMD or the state's portable equipment statewide registration program. Mitigations or permit conditions typically require Best Available Control Technology, which for portable equipment is defined as dust suppression through regular watering of debris piles and use of continuous water sprays on crushing equipment.

The existing buildings include hazardous materials such as asbestos-containing building materials and lead-based paint. These hazardous materials will be removed and disposed of prior to general demolition, in compliance with all applicable Federal, State and local regulatory requirements.

These regulatory requirements include measures for avoiding release of these substances into the atmosphere during removal (see Section II. K. *Hazards and Hazardous Materials* for discussion).

After removal of existing structures, construction activities such as earthmoving, excavation and grading, construction vehicle traffic, and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that would affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-waterbased paints, thinners, some insulating materials and caulking materials would evaporate into the atmosphere and would participate in the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases for a short time after its application.

Construction dust could affect local air quality during site development. The dry, windy climate of the area during the summer months creates a high potential for dust generation when and if underlying soils are exposed to the atmosphere.

The effects of construction activities would be increased dustfall and locally elevated levels of PM₁₀ downwind of construction activity. Construction dust has the potential for creating a nuisance at nearby properties.

- **Construction activity associated with project development would potentially generate dust and exhaust, as well as organic gases from building materials. (Significant Impact)**

Local Operational Impacts

On the local scale, the project would change traffic on the local street network, potentially increasing carbon monoxide levels along roadways used by project traffic. Carbon monoxide is an odorless, colorless poisonous gas whose primary source in the Bay Area is automobiles. Concentrations of this gas are highest near intersections of major roads. Carbon monoxide concentrations under worst-case meteorological conditions have been predicted for six signalized intersections affected by project. PM peak-hour traffic volumes were applied to the CALINE-4 dispersion model to predict maximum 1-and 8-hour concentrations near these intersections. The findings of the dispersion modeling are shown in Table 16.

As shown in Table 16, existing predicted carbon monoxide concentrations near the intersections meet the 1-hour and 8-hour standards. Traffic from the project would increase concentrations by up to 0.3 PPM, but concentrations would remain below the most stringent state or federal standards. Since project traffic would not cause any new violations of the 8-hour standards for carbon monoxide, nor contribute substantially to an existing or projected violation, project impacts on local carbon monoxide concentrations are considered to be less-than-significant.

- **The increased carbon monoxide concentrations resulting from project-generated traffic would not result in a significant local air quality impact. (Less-than-Significant Impact)**

TABLE 16
WORST-CASE CARBON MONOXIDE CONCENTRATIONS NEAR SELECTED INTERSECTIONS
(IN PPM)

Intersection	Existing (2003)		Existing + Background (2003)		Existing + Background + Phase 1 (2003)		Existing + Background + Phase 1 & 2 (2003)	
	1-Hr	8-Hr	1-Hr	8-Hr	1-Hr	8-Hr	1-Hr	8-Hr
US 101 Ramp/ Silver Creek Valley Road	7.5	5.3	9.4	6.7	9.5	6.7	9.5	6.8
US 101 Ramps/ Blossom Hill Road	8.5	6.1	9.4	6.7	9.5	6.7	9.5	6.8
Monterey Road/ Blossom Hill WB Ramps	6.9	5.0	8.3	5.9	8.3	5.9	8.4	6.0
Cottle Road/ Santa Teresa Blvd.	7.2	5.1	8.4	6.0	8.5	6.0	8.5	6.1
Cottle Road/ Beswick Drive	7.3	5.2	8.0	5.7	8.0	5.7	8.2	5.8
Cottle Road/ Poughkeepsie Road	6.1	4.4	6.9	5.0	7.0	5.0	7.2	5.1
Most Stringent Standard	20.0	9.0	20.0	9.0	20.0	9.0	20.0	9.0

Source: Donald Ballanti

Regional Impacts

Vehicle trips generated by the project would result in air pollutant emissions affecting the entire San Francisco Bay Air Basin. The regional pollutants of concern are Reactive Organic Gases (ROG), Nitrogen Oxides (NO_x) (both of which are precursors for ozone) and PM₁₀. Table 17 shows the incremental daily emission increase associated with project operational trip generation for these regional pollutants. The BAAQMD has established a threshold of significance for ozone precursors and PM₁₀ of 80 pounds per day. As shown in Table 14, project emissions would exceed these thresholds of significance for ROG and NO_x, so the proposed project would have a significant effect on regional air quality.

- **The increased emissions of ozone precursors resulting from project-generated traffic would result in a significant impact on regional air quality. (Significant Impact)**

TABLE 17
PROJECT REGIONAL EMISSIONS
(POUNDS PER DAY)

	Reactive Organic Gases (ROG)	Nitrogen Oxides (NO_x)	PM₁₀
Phase 1	58.7	47.4	22.6
Phase 2	66.2	57.4	27.9
Total	124.9	104.8	50.5
BAAQMD Significance Threshold	80.0	80.0	80.0

Source: Donald Ballanti

Diesel Generator Impacts

The standby generator proposed to be located at the east end of the Lowe's building would result in diesel exhaust emissions. The annual emissions estimates for the generator are shown in Table 18 for Reactive Organic Gases (ROG), oxides of nitrogen (NO_x), carbon monoxide (CO) and PM₁₀. These estimates assume that the generator will run for about one hour each week for testing and maintenance purposes.

TABLE 18
ESTIMATED ANNUAL DIESEL GENERATOR EMISSIONS
(TONS PER YEAR)

	VOC	NO_x	CO	PM₁₀
Kohler Power Systems Model 350REOZD (52 hours per year)	0.002	0.195	0.010	0.001
BAAQMD and/or City of San José Threshold	15.0	15.0	100.0	15.0

Source: Donald Ballanti

Of the pollutants shown in Table 18, diesel particulate is of greatest importance. In 1998, after a 10-year scientific assessment process, the California Air Resources Board identified particulate matter from diesel-fueled engines as a Toxic Air Contaminant (TAC). TACs do not have ambient air quality standards. TAC impacts are evaluated by calculating the health risks associated with a given exposure. Two types of risk are usually assessed: chronic cancer risk and chronic/acute non-cancer risk. Diesel particulate has been identified as a carcinogenic material and has a Unit Risk Factor, but is not considered to have acute non-cancer risks.

To estimate the excess cancer risk associated with project diesel exhaust, an annual averaged concentration is needed. This was derived using the EPA-approved SCREEN-3 computer model. The BAAQMD's *Risk Management Policy for Diesel Engines* provides criteria for approval of projects that emit diesel particulate based on the calculated incremental cancer risk and diesel emission control technology employed. The risk is to be calculated at the point of maximum residential or maximum off-site worker exposure, whichever is greater. The risk is to be based

upon the annual usage of the engine for testing and maintenance, in this case, 52 hours per year. Following these prescribed procedures, the SCREEN-3 model was used to calculate an annual maximum concentration at the closest residence and place of employment.

The SCREEN-3 program calculated maximum concentration at the selected distance downwind from the source. The closest place of employment is a commercial building on the east side of Monterey Road, approximately 103 meters from the diesel generator. The closest residential use to the proposed generator was approximately 418 meters west of the diesel generator.

The calculated risk for the maximally exposed worker was 0.5 in one million; the calculated risk for the maximally exposed residence was 0.1 in one million. These risks are well below the BAAQMD toxics threshold of significance of 10 in one million. Project impacts related to the diesel backup generator would therefore be less than significant. The SCREEN-3 modeling procedures and detailed health risk assessment are provided in Attachment 3 of the air quality report, which is contained in Appendix G of this EIR.

(It should be noted that, although there are natural gas mains in the project vicinity, natural gas was not considered as a fuel source for the standby generator because of its much lower fuel efficiency, requiring a larger generator to produce the same amount of power, and higher attendant fuel costs. More importantly, the generator must provide a reliable source of standby power during an emergency power outage. Natural gas cannot provide such reliability due to the potential for pipe breaks during an earthquake, utility supplier failure, or other events causing line breaks.)

- **The diesel emissions resulting from the standby generator at the project will not result in a significant health risk to workers or residents in the vicinity. (Less-than-Significant Impact)**

3. Mitigation Measures

Demolition, Grading, and Construction

Demolition

The following dust control measures shall be implemented by contractors during demolition of existing structures:

- Watering to control dust generation during demolition of structures and break-up of pavement.
- Cover all trucks hauling demolition debris from the site.
- Use dust-proof chutes to load debris into trucks whenever feasible.

The existing buildings include hazardous materials such as asbestos-containing building materials and lead-based paint. These hazardous materials will be removed and disposed of prior to general demolition, in compliance with all applicable Federal, State and local regulatory requirements. These regulatory requirements include measures for avoiding release of these substances into the atmosphere during removal (see Section II. K. *Hazards and Hazardous Materials* for mitigation measures).

Materials Crushing and Recycling

- All crushing or screening equipment used on site for the recycling of materials will be permitted by the Bay Area Air Quality Management District or the state's portable equipment statewide registration program, and utilize Best Available Control Technology for that type of equipment (typically consisting of regular watering of debris piles and use of continuous water sprays on crushing equipment).

Grading and Construction

The BAAQMD has prepared the following list of feasible dust control measures that, when implemented, are considered to reduce construction impacts to less-than-significant levels. The following dust control measures shall be implemented by construction contractors during all phases of grading and construction:

- Water all active construction areas at least twice daily.
- Water or cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 mph.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.

In addition, it is recommended that existing trees planned for removal along the site perimeter be left in place until the building demolition, and pavement and concrete removal phases are completed in order to provide an additional barrier to windborne dust potentially leaving the site.

Regional Emissions

Regional emissions from project traffic exceed the BAAQMD threshold of significance for Reactive Organic Gases and Nitrogen Oxides, indicating the project would have a significant impact on air quality within the air basin as a whole. Exceedance of the threshold requires identification of all feasible mitigation measures. Because of the nature of the project, feasible mitigation measures to reduce project vehicle trips are limited. Available air quality mitigation strategies for commercial development focus on work trips, which comprise a small fraction of total project trips. The big-box character of the Lowe's project also makes impractical any strategies to have patrons use transit, walk or bicycle to the center. Parking restrictions as a means of reducing vehicle trips are impractical in an area with ample parking.

The following mitigation measures for reduction of regional air quality impact should be considered in conjunction with the project:

- Provide preferential parking for employee carpools, electric and low-emission vehicles.

- Institute the Commute Check program for employees.
- Provide secured bicycle parking and shower facilities for employees.

The implementation of the above measures could reduce project emissions by up to 5 percent. Reductions of more than 35 percent would be needed to reduce project impacts to below the BAAMQD threshold of significance. Therefore, project impacts, after mitigation, would remain significant and unavoidable.

Conclusions: The implementation of the above mitigations for dust generated during demolition, grading, and construction would reduce construction-related air quality impacts to less-than-significant levels. **(Less-than-Significant Impact)**

There are no feasible mitigations available which would reduce the project's regional emissions of ozone precursors (Reactive Organic Gases and Nitrogen Oxides) to below the 80 pounds per day significance threshold established by the BAAQMD. Therefore, the project impact upon regional air quality would remain significant after the implementation of feasible mitigations. **(Significant Unavoidable Impact)**

J. NOISE

The following discussion is based on the environmental noise assessment prepared by Illingworth & Rodkin, Inc. in August 2003. A copy of the noise report is contained in Appendix H of this EIR.

1. Existing Setting

Background Information on Acoustics and Noise Measurement

Noise is defined as unwanted sound. Airborne sound is a rapid fluctuation of air pressure above and below atmospheric pressure. Sound levels are usually measured and expressed in decibels (dB) which indicates the relative amplitude of sound. On this scale, noise at 20 decibels is very quiet, while noise at 120-140 decibels is painful and may cause hearing damage.

Noise measurement equipment includes an electrical filter to reflect the fact that human hearing is less sensitive to low and very high frequencies than sound frequencies in the mid-range. The sound levels measured in this manner are called A-weighted sound levels and are expressed as dBA. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness.

Since environmental sound levels vary over time, noise levels are described by various statistical noise descriptors that correspond to varying time periods. Thus the noise levels exceeded during 10 percent of the time are expressed as L_{10} , with noise levels exceeded 50 percent of the time expressed as L_{50} , and so on. The L_{eq} is the average A-weighted noise level during specified period of time.

To account for human sensitivity to nighttime noise, the Day-Night (L_{dn} or DNL) noise descriptor was developed. The L_{dn} divides the 24-hour day into the daytime period of 7 AM to 10 PM and the nighttime period of 10 PM to 7AM. The nighttime noise levels are penalized by 10 dB to account for the greater sensitivity to nighttime noise.

City of San José Noise Guidelines

The Noise Element of the City of San José's 2020 General Plan contains noise guidelines for various land uses within the City, and identifies acceptable noise exposure levels for those uses in terms of the Day-Night (L_{dn}) 24-hour descriptor, described above.

The General Plan guidelines identify 45 dBA as an acceptable interior noise level for virtually all land uses, including commercial retail. An exterior noise level as high as 76 dBA L_{dn} is considered acceptable for commercial retail uses if design measures are provided to maintain interior noise levels of 45 dBA L_{dn} or lower, and outdoor activity is limited to acoustically protected areas.

The City of San José has adopted noise standards for the installation of backup power generators. The maximum allowable noise level at the nearest property line in a commercially zoned area is 60 dBA.

Existing Noise Sources and Levels

The project site is exposed to traffic noise from Monterey Road, Cottle Road, and to a lesser extent Poughkeepsie Road and Boulder Boulevard. The site is also exposed to noise generated by trains on the Union Pacific Railroad line which passes along the northern site boundary. On-site noise levels at a point approximately 85 feet from the north site boundary (the location of Lowe's north wall) are in the range of 70 to 75 dB L_{dn} , primarily due to the high noise levels generated when trains pass by.

The noise environment outside the nearest occupied land use opposite the project site was measured with a Type 1 integrating sound level meter on January 8, 2003, between 4:00 and 4:30 p.m. at a distance of 186 feet from the centerline of Cottle Road, at the setback of the Southside Community and Senior Center buildings. The noise measurements were made at this time to establish typical existing noise levels at the nearest sensitive receptors during the time of the maximum potential for construction and operational noise. The measurements indicated that at the nearest building setback of the Southside Community and Senior Center, located opposite Cottle Road from the project site, daytime noise levels average 60 dBA, with maximum levels reaching 74 dBA due to trucks on Cottle Road (as noted by the sound meter operator). The background, or L_{90} , noise level is about 55 dBA at the center. The only noise-sensitive outdoor use associated with the community center is a play yard associated with a preschool on the property. The play yard is partially shielded from traffic noise on Cottle Road by intervening buildings and exposed to a noise level 5 to 10 dB lower.

2. Noise Impacts

For purposes of this project, a noise impact is considered significant if the project will:

- Expose persons to, or result in the generation of, noise levels in excess of standards established in the local General Plan, noise ordinance, or applicable standards of other agencies; or
- Result in a substantial permanent, or temporary or periodic, increase in ambient noise levels in the project vicinity above levels existing without the project; or
- Result in an increase in traffic noise levels of 3 dBA L_{dn} or more; or
- Result in hourly average construction noise levels received at noise-sensitive residential land uses in excess 60 dBA during the daytime. The 60 dBA level is set to protect against undue outdoor speech interference described in the U.S. Environmental Protection Agency publication "Levels of Noise Requisite to Protect the Public Health and Welfare with an Adequate Margin of Safety"; or
- Result in noise levels from the proposed standby generator that exceed the City standard of a maximum of 60 dBA at the nearest property line; or
- Expose persons to, or result in generation of, excessive groundborne vibration or groundborne noise levels.

Impacts to the Project

As discussed previously, on-site noise levels under existing conditions are as high as 75 dB L_{dn} , primarily due to the high noise levels generated when trains pass by. The City of San José noise guidelines state that the satisfactory noise level for commercial uses is 60 dB L_{dn} . However, an exterior noise level as high as 76 dBA L_{dn} is considered acceptable for commercial retail uses if design measures are provided to maintain interior noise levels of 45 dBA L_{dn} or lower, and outdoor use areas are confined to acoustically protected locations. The project contains no

outdoor use areas other than the garden center which is a commercial activity. Interior noise levels below 45 dBA would be easily maintained since the building would be mechanically ventilated, and there would be no open doors or windows facing the railroad tracks.

- **Project buildings would not be exposed to interior noise levels exceeding the applicable standard of 45 dBA L_{dn} . (Less-than-Significant Impact)**

Impacts Resulting from the Project

Project-Generated Traffic Noise

Customers will access the site from the south and west via Poughkeepsie and Cottle Roads, or from the north and east via the Blossom Hill Road westbound off-ramp to Cottle Road. Based on data from the project traffic analysis, the streets serving the project would be subject to incremental noise increases resulting from project-generated traffic. However, these noise level increases would be no more than one decibel, an increment which is not detectable by human hearing. Therefore, the customer traffic generated by the project would not result in a significant noise impact.

Trucks serving the Lowe's center would typically consist of 10 deliveries by tractor trailer trucks per week. Smaller delivery trucks would serve the commercial users in Phase 2 and would make deliveries during normal business hours. The access routes used by delivery trucks would be the same as those described above for customer traffic. At the location of noise-sensitive receptors, such as the mobile homes north of the Blossom Hill Road off-ramp, the individual truck pass-bys would be noticeable. However, these events would be relatively infrequent and indistinguishable from existing truck traffic, and average noise levels due to truck traffic would not increase appreciably.

- **The customer and truck traffic generated by the project would not result in a significant increase in traffic noise on streets serving the project. (Less-than-Significant Impact)**

On-Site Noise Sources

Noise sources associated with the Lowe's center and Phase 2 commercial uses would include parking lot activity (e.g., vehicle circulation, engines starting, door slams), truck delivery and loading dock activity, trash compactors, garden center activity, and rooftop mechanical equipment. (Noise from the standby power generator is discussed subsequently.) From off-site locations, noise from parking lot activity would be inaudible over the traffic noise on Monterey and Cottle Roads. Noise from the other on-site sources would be occasionally audible, at most, over background traffic. It is projected that the noise from these sources would reach maximum levels of 75 dBA at the site boundary with typical levels 10 to 20 dB lower. Given the absence of noise-sensitive receptors in the immediate project vicinity, the project would not result in significant noise impacts from on-site sources.

- **The noise sources on the project site would not result in a significant noise impact to surrounding land uses. (Less-than-Significant Impact)**

Standby Power Generator

The standby power generator is planned for the northern side of the building, approximately 65 feet from the northern site boundary. Except during power outages, the generator would be operated for one hour each week for testing and maintenance purposes. The generator would be enclosed by a 12-foot high CMU (concrete masonry unit) wall with a north-facing gate constructed of tubular steel. The nearest noise sensitive receptors to the generator include the Community and Senior Center 750 feet to the south, and residential uses at least 1,000 feet to the northeast across the railroad tracks and Monterey Road. The occasional noise from the generator would not be audible at either of these locations.

As noted above, the City of San José requires that standby generators produce maximum noise levels of 60 dBA or less at the nearest property lines in commercial zones. Given the size of the generator, an acoustical enclosure and an exhaust silencer (both available from the manufacturer) will be required to meet the City's 60 dBA limit at the closest north property line (the property line closest to the proposed generator location), and the generator will include these features. Noise levels will be lower at other property lines. Further noise reduction could be achieved, but is not required, by moving the tubular steel gate to the west side of the enclosure, facing Cottle Road. Therefore, the on-site standby power generator will not result in significant noise impacts.

- **The standby power generator planned for the north side of the Lowe's center would not result in a significant noise impact to surrounding land uses. (Less-than-Significant Impact)**

Construction Noise

On-site noise levels would be temporarily elevated during demolition and dismantling of the existing buildings, removal of pavement and concrete, tree removal and grading, and construction of the proposed buildings and paved areas. This activity would occur at least 200 feet from the nearest noise sensitive receptors at the Community and Senior Center across Cottle Road, and at least 600 feet from the nearest residential uses northwest of Blossom Hill Road and southwest of the Poughkeepsie/Cottle Road intersection. At these distances, average noise levels generated by construction noise would be below 60 dBA and would not be expected to be audible inside the buildings under most conditions. Therefore, site development activities associated with the project would not result in significant noise impacts.

In addition to the typical construction activity associated with commercial development of this nature, the project would involve the removal of the existing asphalt parking areas and concrete curbs which would be crushed and reused as base material in the project. The material would be processed in the portable crushing plant which would be brought to the site and likely would be stationed in the northwestern portion of the site, north of Concord Drive. At this location, the crusher would be located 600 feet from the nearest occupied commercial land uses to the north, 1,000 feet from the nearest occupied industrial land use to the south, 1,000 feet from the community center to the west, 1,300 feet from the nearest residential uses to the northwest across Blossom Hill Road, 1,000 feet from the nearest residential uses to the northeast across Monterey Road, and 1,700 feet from the nearest residential uses to the southwest across Poughkeepsie Road. At these distances, average noise levels would be 64 dBA outside the nearest commercial and industrial land uses, 60 dBA outside the community center, and 58 dBA at the nearest residential uses to the northwest. Noise levels at other residential areas in the vicinity would be lower. The average noise level generated by the crusher would be at or below the impact threshold of 60 dBA for noise sensitive uses, such as the community center and the residential development. (Since the crusher is a piece of construction equipment that will be on the site temporarily, the 60 dBA standard would apply instead of the City's 55 dBA standard for

permanent stationary sources.) The average noise level of 64 dBA outside the nearest commercial and industrial uses would not be considered significant because indoors, the noise levels would be approximately 20 decibels lower and would not interfere with office activity. It is anticipated that the portable crusher would be on site for less than a month. Given the short-term nature of the onsite materials crushing and recycling operation, and the City limitations on days and hours of operation, this would not be considered a significant long-term impact.

One other major noise source would be expected during the removal of asphalt and concrete on the site, and this would be the use of jackhammers. Jackhammers typically generate noise levels of 80 to 90 dBA at a distance of 100 feet. The use of this equipment would generate noise levels in excess of the 60 dBA threshold at the nearest residences. (Since jackhammers constitute construction equipment that will be on the site temporarily, the 60 dBA standard would apply instead of the City's 55 dBA standard for permanent stationary sources.) However, this activity would be expected to last a very short period of time and thus would not be considered a significant long-term impact, given the City limitations on days and hours of construction operation.

- **Construction and demolition activities associated with the project would not result in a significant noise impact to surrounding land uses. (Less-than-Significant Impact)**

3. Mitigation Measures

Impacts to the Project

The proposed project would not be subject to significant noise impacts, and therefore no mitigation is necessary or proposed.

Impacts Resulting from the Project

Construction Noise

While no significant noise impacts to surrounding land use are anticipated as a result of construction activity associated with the project, the following measures are identified to minimize the potential effects construction noise on adjacent uses:

- Limit construction activities to 7:00 AM to 7:00 PM on weekdays, 9:00 AM to 5:00 PM on Saturdays, with no construction to occur on Sundays or holidays.
- Equip all internal combustion engine-driven equipment with original factory intake and exhaust mufflers which are kept in good condition.
- Prohibit, and post signs prohibiting, unnecessary idling of internal combustion engines.
- Locate all stationary noise-generating construction equipment such as air compressors and portable power generators as far as practicable from noise sensitive land uses.
- Utilize "quiet" air compressors and other stationary equipment where technology exists.
- The project will be required to designate a "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and require the implementation of reasonable measures to correct the problem. Conspicuously post a name and telephone number for the disturbance coordinator at the construction site.

Conclusions: While there are no significant noise impacts associated with the project, the measures identified above are recommended to minimize the potential effects of construction noise on adjacent uses. **(Less-than-Significant Impact)**

K. HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based on the Phase I Environmental Site Assessment (ESA) prepared by Treadwell & Rollo, Inc., in August 2002. The Phase I ESA was conducted in conformance with the American Society for Testing and Materials (ASTM) E1527-00 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The Phase I investigation included a site reconnaissance, review of available documents, maps, aerial photographs, and data base reports, and interviews with representatives of the property owner and regulatory agencies. The Phase I report is contained in Appendix I of this EIR.

In addition, Lowney Associates has conducted a survey of the buildings for contaminated materials. The survey results were not published in report format but were incorporated in the portion of the demolition specifications that address abatement and removal of hazardous building materials. The results of the survey are summarized in this section.

It should be noted that other forms of hazard are addressed elsewhere in this EIR as follows: seismic hazards - Section II. B. *Geology, Soils, and Seismicity*; flooding hazard - Section II. C. *Flooding, Drainage, and Water Quality*; and fire hazard - Chapter III. *Availability of Public Services*.

1. Existing Setting

IBM Campus-Wide Groundwater Contamination

Site investigations initiated in 1980 revealed that volatile organic compounds (VOCs) used and stored on IBM's Cottle Road campus had impacted groundwater beneath and in the vicinity of the campus. The source areas for the contamination are located upgradient to the southeast, off the project site. The Regional Water Quality Control Board (RWQCB) assigned a high corrective action priority to the facility, and specified remedial actions in Order 88-157 which was issued in 1988. Numerous groundwater monitoring and extraction wells have been installed within the former IBM campus, including the project site which contains two extraction wells along Cottle Road, seven monitoring wells (including four wells near the extraction wells, and three wells along the north side of Poughkeepsie Road), an extracted-water storage tank, and discharge piping. The extracted groundwater is conveyed in pipes to a treatment facility located at the Hitachi campus to the south, where the contaminant levels are reduced to acceptable levels before the treated water is discharged into the storm drain system and Canoas Creek.

Groundwater remediation is on-going and has resulted in significant reductions of chemical concentrations in soil and water and a reduction in the size of the off-site groundwater contamination plume. In August 2002, RWQCB adopted Order R2-2002-0082, rescinding Order 88-157 and establishing new site cleanup criteria. The new requirements also include the development of deed restrictions to prevent human exposure to contaminated groundwater. (Groundwater levels at the site are typically 25 to 30 feet below the ground surface.) These deed restrictions are not expected to adversely affect the project. The on-site wells are located in the northwest corner of the former IBM campus, in the direction of groundwater flow, and are considered important boundary wells. RWQCB will require that the extraction and monitoring wells remain on the project site for the foreseeable future, but may allow the wells to be relocated or removed to accommodate site development as long as the site remediation program is not adversely affected. Neither of the extraction wells are proposed to be removed or relocated in conjunction with the project, although the surface features of the wells and some piping may be removed or relocated. Three of the seven monitoring wells will be removed prior to site

development. The extracted water storage tank is planned to be moved a short distance to the southwest corner of the site. The Regional Board's approval of these system modifications is pending.

Potential On-Site Sources of Contamination

There are several former and existing storage tanks that were associated with IBM's previous use of the project site. These include one existing above-ground storage tank on the project site, and three tanks that were formerly located on the site and subsequently removed. These tanks are discussed below.

The existing 1,000-gallon above-ground storage tank (AST), reportedly installed in 1968, was used to fuel a diesel-powered emergency generator for Building 025 and is located on the west side of the building. At the time of the site inspection by Treadwell & Rollo in July 2002, the tank contained 700 gallons of diesel fuel.

A former 1,000-gallon underground storage tank (UST) was reportedly installed in 1977 and was used as a waste vault. The tank was removed in 1989, along with associated underground piping and sump.

A 4,000-gallon ink tank, formerly located south of Building 025, was removed in 1982. Also, a diesel tank located east of Building 025 was removed in 1986. Soil sampling was performed after each removal and low levels of VOCs were detected at the ink tank and approximately 190 cubic yards of soil was overexcavated and disposed of off-site. Confirmation soil samples did not detect VOCs above the site cleanup level of 1 part per million (ppm). Beneath the former diesel tank site, diesel was detected at 10 ppm at one of the two samples collected. No additional investigation was performed.

The building survey by Lowney Associates indicated the presence of asbestos-containing building materials, lead-based paint, mercury, and possible PCBs. Asbestos-containing materials include: piping insulation; drywall with joint compound; floor tile, mastic, and associated leveling compounds, roofing materials, and the asbestos cement "transite" panels on the building exterior. The report states that lead is present in all paint and ceramic tiles, and that mercury is present in the thermostats and fluorescent light tubes. There is a potential for PCB-containing oils to be present in utility vaults, and PCBs may also be present in florescent light ballasts.

Potential Off-Site Sources of Contamination

The database search by Treadwell & Rollo identified two off-site contamination sites located in an up-gradient or cross-gradient direction of groundwater flow from the project site. These sites are discussed below.

ARCO - 5498 Monterey Road: Located approximately 650 feet northeast and cross gradient of the project site, gasoline was detected in the soil at this location in 1987. The contaminated soil was excavated and disposed of off-site. The potential for this contamination site to affect the project is considered minimal based on the groundwater gradient direction and since no groundwater contamination is present at the ARCO site.

Desert Petroleum Inc. - 5350 Monterey Road: This site is located 975 feet northwest and cross-to down-gradient of the site. Gasoline was discovered in the soil during tank closure activities in 1985, and a remedial program involving soil and product removal was completed in 1995.

Administrative case closure was granted by the Santa Clara County Department of Environmental Health (SCDEH) in 1995, with no further action required. The potential for this contamination site to affect the site is considered minimal based on the groundwater gradient direction and the granting of administrative case closure.

2. Hazards and Hazardous Materials Impacts

For purposes of this project, a hazardous materials impact is considered significant if the project will:

- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or
- Expose the public to a significant risk associated with the storage, use and/or disposal of hazardous materials or from existing hazardous materials contamination; or
- Pose a health or safety hazard to people or animal or plant populations; or
- Create a significant health hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- Create a significant hazard to the public or the environment from existing hazardous materials contamination by exposing future occupants or users of the site to contamination in excess of soil and groundwater cleanup goals developed for the site; or
- Is identified on any list of hazardous materials contamination.

Impacts Due to On-Site Sources

Above-Ground Fuel Storage Tank

As discussed under 'Existing Setting' above, a remaining source of potential contamination includes the 1,000-gallon diesel AST that was used to fuel the standby generator at Building 025. It is expected that this fuel tank and its contents will be removed during building demolition in accordance with applicable regulatory requirements, including obtaining a permit from the San José Fire Department, Hazardous Materials Division. Therefore the impact due to tank removal and disposal will be less than significant.

Asbestos-Containing Building Materials

The existing Building 025 include a number of building components that contain asbestos. Unless properly removed prior to demolition, asbestos-containing materials would pose a health hazard to construction workers at the project site and other individuals in the vicinity. Asbestos fibers can be released into the air during disturbance or improper removal of asbestos-containing building materials. Exposure to airborne asbestos can lead to increased risk of lung cancer, mesothelioma (a cancer of the chest and abdominal linings), and asbestosis (irreversible lung scarring that can be fatal).

Asbestos removal is to take place in accordance with the requirements of Cal/OSHA and the U.S. EPA. Demolition will also be subject to a permit issued by the Bay Area Air Quality Management District, which is responsible for enforcing the asbestos removal requirements of the U.S. EPA.

The California Health and Safety Code requires that local agencies not issue demolition permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding asbestos, lead-based paint and other potentially hazardous building

materials. The BAAQMD is to be notified ten days in advance of any proposed demolition and must be provided with information on the amount and nature of any hazardous pollutants, nature of planned work and methods to be employed, and the name and location of the waste disposal site to be used.

Lead-Based Paint

Unless properly removed prior to demolition, any peeling or flaking lead-based paint present in the on-site buildings would pose a health hazard to construction workers at the project site and other individuals in the vicinity. Lead can enter the body by breathing airborne lead particles or by swallowing lead particles once they have settled. Although not of concern here, lead can also leach into drinking water from certain types of plumbing materials such as lead pipes, copper pipes with lead soldering, and brass faucets. The health effects of excessive lead exposure in adults include increased blood pressure, digestive problems, kidney damage, nerve disorders, sleep problems, muscle and joint pain, and mood changes. In children, exposure to excessive lead levels can affect growth, and cause brain damage, kidney damage, impaired hearing, vomiting, headaches, appetite loss, and cause learning and behavioral problems.

Mercury and PCBs

Mercury and PCBs are highly toxic substances. Unless properly removed prior to demolition, any mercury or PCBs present in the on-site buildings would pose a health hazard to construction workers at the project site and other individuals in the vicinity.

- **There is an existing partially-full diesel fuel tank on the site, and the existing on-site structures include asbestos-containing building materials, lead-based paint, mercury, and PCBs which could pose a health hazard to construction workers during demolition and dismantling of the existing buildings. (Significant Impact)**

Impacts Due to Off-Site Sources

IBM Campus-Wide Groundwater Contamination

As discussed under 'Existing Setting' above, the groundwater beneath the project is contaminated with VOCs originating elsewhere on the IBM campus. A comprehensive remediation program has been ongoing for a number of years. This includes a pump and treat system with a network of groundwater extraction wells and monitoring wells, including several located on the project site. Although groundwater quality conditions are improving, the Regional Board has required that deed restrictions be developed which prevent human exposure to contaminated groundwater. Groundwater levels at the site are approximately 30 feet below the ground surface. None of the commercial land uses proposed for the project will utilize groundwater in their operations, and the groundwater table is well below the ground surface, so subsurface excavation for foundations and utilities will not reach the groundwater. As such, the project would not result in exposure of persons to contaminated groundwater, either during construction or project operation. Therefore, there will be no significant impacts associated with existing groundwater contamination beneath the site.

Contaminated Service Station Sites

There are two service station sites located within 1,000 feet that are down-gradient or cross-gradient from the site. As discussed under 'Existing Setting' above, these contamination sites have been cleaned up and their potential to affect the project site is considered minimal.

Therefore, there will be no significant impacts associated with these former off-site contamination sources.

- **Neither the existing groundwater contamination beneath the site, nor the two formerly contaminated service station sites in the vicinity, pose a human health hazard to the project. (Less-than-Significant Impact)**

Hazardous Materials Used in the Project

Hazardous materials would be used both in the construction and operational phases of the project. During project construction, materials such as diesel and gasoline to fuel equipment, as well as lubricants, cleaning solvents, cement, plaster, treated lumber, paints and other materials would be used. The safe handling, storage, and use of these materials would be ensured through implementation of the Storm Water Pollution Prevention Plan (SWPPP) required by the Regional Water Quality Control Board. The SWPPP would include provisions for safe containment of all construction materials, as well as containment of areas devoted to fueling, storage, maintenance, and washing of equipment in order to minimize the impacts of leaks or spills of petroleum products. Therefore, there will be no significant impacts associated with the use of hazardous materials during the construction phase of the project.

During project operation, on-site use of hazardous materials would include cleaning and degreasing solvents, fertilizers, pesticides, and other materials used in the regular maintenance of a commercial center. Fuel for the standby emergency generator would be supplied from a 1,100-gallon above-ground diesel tank located beneath the generator. In addition, the Lowe's center would include many products classified as hazardous in its retail inventory. The storage and handling of these materials would be subject to the requirements of the City of San José Fire Department and the Bay Area Air Quality Management District (AQMD) regarding the storage, handling and use of these materials, and would be subject to state law requirements related to "household" chemicals. With proper use and disposal, these chemicals are not expected to result in hazardous or unhealthful conditions for employees or customers of the center. Therefore, there will be no significant impacts associated with the use of hazardous materials during the operational phase of the project.

Any use or storage of hazardous materials for greater than 30 days during construction activities will require the contractor employing the materials to submit a Hazardous Materials Business Plan or a Hazardous Materials/Waste Registration form (depending on the quantities stored) to the San José Fire Department. If a temporary generator with a tank greater than 60 gallons or temporary tank for fuel dispensing greater than 60 gallons is to be located on-site during construction activities, hazardous materials storage system installation permits must be obtained from the San José Fire Department.

- **The hazardous materials used in the construction and operational phases of the project would not result in a significant impact since the project would comply with applicable state and local regulations designed to avoid such impacts. (Less-than-Significant Impact)**

3. Mitigation Measures

Impacts Due to On-Site Sources

The existing hazardous materials present in the vacant on-site buildings will be removed and disposed of prior to general demolition, in compliance with all applicable Federal, State and local

regulatory requirements. A Facility Closure Plan and permit application must be submitted to the San José Fire Department at least 30 days prior to closing the facility. **(Less-than-Significant Impact with Mitigation)**

Conclusion: The project's hazardous materials impacts would be mitigated to less-than-significant levels through compliance with existing regulatory requirements. **(Less-than-Significant Impact with Mitigation)**

L. UTILITIES AND SERVICE SYSTEMS

The following discussion is partially based on information provided by Nolte Associates, the civil engineers for the project.

1. Existing Setting

Sanitary Sewer/Wastewater Treatment

There is an existing 12-inch City of San José sanitary sewer main in the Cottle Road right-of-way. The existing research and office uses on the site, and the Hitachi campus to the south, are served by a 12-inch sanitary main that crosses the site along the Concord Drive alignment and connects to the existing City of San José sanitary main in Cottle Road.

Wastewater treatment for the project area is provided by the City of San José at the San José/Santa Clara Water Pollution Control Plant (WPCP) located in the Alviso district of North San José. The Plant is a regional facility located in North San José and provides tertiary treatment of wastewater from several surrounding cities and sanitation districts. The Cities of San José and Santa Clara jointly own the facility, but the City of San José operates and maintains the plant.

During the average dry weather period (May 1 through October 31), the plant is permitted to treat up to 167 million gallons per day (mgd) influent flow. The average dry weather influent flow (or peak week flow) is determined as the highest average flow during any five-weekday period between the months of June through October. For the year 2001, peak week flow was approximately 135 mgd and occurred in May. The plant's treatment capacity of 167 mgd is allocated between the several agencies served and the two co-owners through Master Agreements. The total capacity allotted to the City of San José is approximately 106.39 mgd.

In 1989, the San Francisco Bay Regional Water Quality Control Board ordered the Plant to reduce its discharge of metals (copper and nickel) by more than 50 percent to protect aquatic organisms and meet the state and federal water quality objectives in south San Francisco Bay. In addition, the Regional Board imposed a 120 mgd flow trigger and required the plant to reduce the quantity of effluent discharged to avoid converting the habitat of two endangered species: the salt marsh harvest mouse and the California clapper rail. In response to these issues, the City of San José has prepared a Clean Bay Strategy (CBS) and the South Bay Action Plan. The CBS details the City's control strategy to reduce effluent discharges to the Bay as required by the National Pollutant Discharge Elimination System (NPDES) permit. The Clean Bay Strategy promotes an integrated watershed protection approach and considers all factors influencing water quality in the South Bay, including point and non-point sources of pollution, water supply issues, and improving plant performance. The South Bay Action Plan describes in some detail the conservation, reuse and diversion activities designed to reduce effluent flow from the plant to below 120 mgd.

Subsequently, the Regional Board incorporated the following programs as a condition of the plant's 1998 National Pollution Discharge Elimination System (NPDES) Permit, as described below:

- Continue implementing the San José Action Plan that incorporated activities designed to reduce the effluent flow to under 120 mgd, including water conservation, reclamation, wetland mitigation, industrial water recycling, and increased public education.

- Develop and implement a Contingency Plan to provide ample assurance that the effluent flows of the Plant are brought to and remain below 120 mgd. The Contingency Plan adds new measures, in a tiered format, aimed at controlling discharges of concern.

The imposition of additional regulatory requirements as a result of the flow trigger has not occurred due to the City's good faith efforts in implementation of the Clean Bay Strategy. However, the RWQCB may require additional control measures to be implemented at any time it deems necessary.

Under existing conditions, the unoccupied site does not generate wastewater. However, when the three existing buildings were occupied, they would have generated approximately 9,000 gallons per day of wastewater (based on 0.1 gallon per square foot per day for 90,000 square feet of office).

Water Supply

Domestic Water

Domestic water supply to the project is provided by Great Oaks Water Company which has an existing 12-inch main in Cottle Road along the site frontage.

Recycled Water

A recycled water source is currently not available to the project site. The completed nearest pipeline segment is in the Silver Creek Valley planned community located three miles to the northeast. In Phase 2 of the recycled water project, the pipeline will be extended westward on Silver Creek Valley Road to Hellyer Avenue where it will turn southeast and ultimately terminate at the Metcalf Energy Center which is scheduled for completion in the near future. When the pipeline is completed to Silver Creek Valley Road at Hellyer Avenue, it will be at its the closest proximity to the project site about one mile to the east. It is currently unknown whether or when the recycled water distribution system will be extended to the project vicinity.

Storm Drainage Facilities

The project site is currently served by two main storm drainage systems. The southeast portion of the site (approximately 40 percent of the project area) drains to a private system on the former IBM campus where it is conveyed by 12-inch to 36-inch pipes east and south to the City of San José system before being discharged into Canoas Creek. Drainage from the northern and western portions of the project site is discharged to a 12-inch City of San José storm drain in Cottle Road and conveyed via a 36-inch pipe to a 48-inch pipe in Blossom Hill Road, which carries the flow west to Canoas Creek. (See Section II. C. *Flooding, Drainage, and Water Quality* for additional discussion.)

Electric Power, Natural Gas, and Communications

There is an existing overhead electric service to Building 025. Electric service is also available to the project site from conduits within the Cottle Road right-of-way along the project frontage.

Natural gas service is not currently provided to the site, but is available from an existing 12-inch high pressure gas line within the Cottle Road right-of-way across from the project site.

Pacific Bell has an existing underground telephone duct running within Cottle Road along the project frontage. Cable service to the project area is not currently provided to the site, but is available from Comcast (formerly AT&T Broadband), which has cable lines in the vicinity.

Solid Waste / Recycling

Solid waste collection for commercial users in San José is provided by a number of non-exclusive service providers. The waste may be disposed at any of the four privately owned landfills in San José including the Newby Island Sanitary Landfill, Guadalupe Mines Rubbish Disposal Site, Kirby Canyon Sanitary Landfill, and Zanker Road Disposal and Recycling Center. According to the Source Reduction and Recycling Element prepared for the City of San José and the county-wide Integrated Waste Management Plan, there is sufficient landfill capacity for the needs of Santa Clara County for at least 23 more years.

Recycling services are available to most businesses from private recyclers. The City of San José Environmental Services Department also offers information and assistance to businesses wishing to recycle, or expand their recycling activities. Assembly Bill 939 established the California Integrated Waste Management Board and required all California counties to prepare integrated waste management plans. AB 939 also required that municipalities divert 25 percent of their solid waste from landfill disposal by 1995, and 50 percent of the solid waste stream was to have been diverted by 2000. The City of San José currently generates approximately 5,220,000 tons of solid waste annually, and diverts about 53 percent through a variety of waste diversion programs including curbside recycling and yard waste pick-up.

The project site currently does not generate solid waste although green waste from maintenance of site landscaping is hauled away by the tree contractor. The green waste is chipped and processed for other uses such as methanol production.

2. Utilities and Service System Impacts

For the purposes of this EIR, a utilities and service system impact is considered significant if the project would:

- Require or result in the construction of new water, wastewater treatment, or stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments; or
- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; or
- Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed; or
- Directly affect a major utility line or facility; or
- Result in a substantial increase in the demand for public services; or
- Result in an exceedance of the capacity of a utility line or public service to such an extent as to create a safety or public health hazard; or
- Be served by a landfill of sufficient permitted capacity to accommodate the project's solid waste disposal needs; or
- Exceed published federal, state, or local standards relating to solid waste or litter control.

Sanitary Sewer/Wastewater Treatment

Sanitary sewer service to the project site is provided by an existing 12-inch main in Cottle Road. The Lowe's center will be served from an existing 12-inch branch of the Cottle Road main which extends into the site for 200 feet along the current alignment of Concord Drive. The Phase 2 buildings will be served directly from the main in Cottle Road. New 6-inch lateral sewers will be constructed to connect all of the project buildings to the City sanitary mains.

The proposed project includes a total floor area of 221,673 square feet, including 214,673 square feet of retail, of which 7,000 square feet would be in restaurant use. The project is projected to generate approximately 28,467 gallons of wastewater per day (based on a generation rate of 0.1 gallon per square foot of commercial retail space per day, and 1.0 gallon per square foot of restaurant space per day). Taking into account the 8,940 gallons per day (gpd) that would have been generated by the existing on-site office and research buildings when they were occupied, the net increase in wastewater generation at the site would be approximately 19,527 gpd. The existing City sanitary sewer system serving the project area has sufficient capacity to accommodate the projected flows from the proposed project, with or without consideration of potential flows from the existing buildings.

The total wastewater flows from the project would result in an 0.08 percent increase in the existing peak flows treated at the WPCP, and the net project flows (assuming full occupancy of existing office/research buildings) would represent a 0.05 percent increase treatment plant influent. This increased flow can be accommodated at the WPCP. However, the additional 0.029 mgd (million gallons per day) increase would be added to the existing 15 mgd excess discharge over the 120 mgd flow trigger imposed by the RWQCB. While this increment would not represent a significant impact, the project's wastewater flow would have a slightly adverse effect on the City's efforts to comply with the flow trigger. The project's wastewater flow would consist entirely of domestic sewage and would not include any process water or water contaminants.

- **The project would not result in significant impacts to sanitary sewer conveyance or treatment capacity and would not create the need for major new wastewater infrastructure. (Less-than-Significant Impact)**

Water Supply

Domestic Water

The commercial retail and restaurant uses of the project will have a projected demand of 28,467 gpd for domestic water supply (based on 0.1 gpd per square foot of retail and 1.0 gpd per square foot of restaurant use). Project landscaping would also require irrigation water, with the quantities depending on area of landscaping, species selected, and irrigation practices. Irrigation water would be supplied from domestic sources during the initial years of project operation, and later from recycled water supplies if and when they become available in the area (see below).

The existing 12-inch Great Oaks Water Company main in Cottle Road is adequate to provide the required domestic, irrigation, and fire service for the project. Domestic service will be provided by 4-inch laterals to be constructed from the water main to each of the project buildings. Separate 6-inch fire service laterals from the water main will be constructed to connect to the sprinkler

system in each building. A separate looped system of 10-inch fire service lines will extend from the water main to serve the 20 fire hydrants to be installed throughout the site.

Recycled Water

As noted previously, the nearest source of recycled water is approximately one mile east of the project site at Hellyer Avenue and Silver Creek Valley Road. As specified in the San José Municipal Code (which requires that the irrigation system for any site with more than 10,000 square feet of landscaping must be designed to use recycled water), the project will be designed to accept recycled water. The project irrigation system will be connected to the City's recycled water system at some future date when service becomes available to the project area.

- **The project would not result in significant water supply impacts and would not create the need for major new supply infrastructure. (Less-than-Significant Impact)**

Storm Water

Stormwater generated by the project will be collected, conveyed, and discharged by a combination of facilities. In the northwestern 12.5 acres of the site, runoff will surface drain through the parking areas to vegetated swales along the northern and western site boundaries. This stormwater will be discharged to the existing 12-inch and 15-inch City of San José storm drains in Cottle Road. Along the eastern and southern 6.3 acres of the site, roof and surface drainage will be conveyed to storm drain inlets along the project perimeter and routed to an underground stormwater treatment unit near the southwest corner of the project. The treated runoff will then be discharged to the existing 15-inch City of San José storm drain in Cottle Road and then conveyed to Canoas Creek and ultimately the Guadalupe River. (See Section II. C. *Flooding, Drainage, and Water Quality* for a detailed discussion of hydrologic impacts.)

- **The project would not result in significant storm drainage impacts and would not create the need for major new stormwater infrastructure. (Less-than-Significant Impact)**

Electric Power, Natural Gas, and Communications

Electric service to the project will be provided from the existing electrical conduits within the Cottle Road right-of-way along the project frontage. The existing overhead service would be removed during site clearance and demolition.

Natural gas service to the project will be provided from the existing 12-inch high-pressure gas line within the Cottle Road right-of-way across from the project site. New service laterals would be constructed to serve the project buildings.

Pacific Bell would provide telecommunications service to the site for the underground duct running within Cottle Road along the project frontage. These facilities are adequate to serve the project. Cable service to the project area is provided by Comcast (formerly AT&T Broadband), which will extend service to the project site upon request.

- **The project would not result in significant impacts to electric power, natural gas, or communications facilities and would not create the need for major new infrastructure for these utilities. (Less-than-Significant Impact)**

Solid Waste

The project would produce approximately 1,100 pounds of solid waste per day, based on the commercial retail generation rate of 5 pounds per day per 100 square feet of floor area. This estimate does not take into account any reduction for recycling. The Lowe's store will include recycling bins to facilitate recycling in the employee lunch room. In accordance with standard Lowe's operating procedure, cardboard would be baled on-site and shipped back to the Lowe's distribution center for recycling. Green waste from project landscape maintenance would be picked up by a contractor such as Davey Tree Expert Company.

Demolition waste generated by site clearance activities will be recycled and reused to the extent feasible. The demolition contract will specify that building materials from the existing on-site buildings be salvaged for reuse and/or recycled pursuant to the City of San José's construction and demolition waste diversion program. Asphalt and concrete from the existing parking lot will be ground up and used as base material for the project. Existing landscaping will be removed by a contractor who will either haul the green waste to a sanitary landfill where it will be green cycled or composted, or sell it for processing for other uses such as methanol production. None of the trees on the site are large enough for commercial salvaging for lumber.

There is sufficient capacity in the existing solid waste disposal facilities serving the City of San José to accommodate the solid waste generated by the project.

- **The project would not result in significant impacts to solid waste service and would not create the need for additional landfill capacity. (Less-than-Significant Impact)**

3. Mitigation Measures

- Since the project would not result in significant impacts to utilities and service systems, no mitigation measures are required or recommended.

Conclusion: The project would not result in significant impacts to utilities and service systems. **(Less-than-Significant Impact)**

M. ENERGY

1. Existing Setting

The only form of energy currently available on the site is electricity which is provided by Pacific Gas and Electric Company. Under current conditions, consumption of energy on the project site is limited since none of the on-site buildings are in use. The only energy use of note occurs at the groundwater extraction wells that operate on the site as part of the overall Hitachi groundwater remediation program.

2. Impacts to Energy Resources

For the purposes of this project, an energy impact is considered significant if the project will:

- encourage activities which result in the use of large amounts of fuel, water, or energy; or
- use fuel, water, or energy in a wasteful manner.

The project would result in the consumption of energy in three forms: 1) the fuel energy consumed by construction vehicles; 2) bound energy in construction materials such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as milled lumber and glass; and 3) operational use of energy by the project's retail users for lighting, heating, air conditioning, and equipment operation.

With respect to project design and use of construction materials, the project is subject to the provisions of Title 24 of the California Administrative Code, which sets energy efficient design standards for residential and non-residential buildings.

The development of the site with the proposed land uses would have an indirect influence on the energy consumed in automobile travel. The new retail opportunities provided by the project in the South San José area, particularly for home improvement products, may shorten shopping trips for residents who might otherwise travel to more distant locations for these products.

- **The project would use a typical amount of energy for this type of commercial project and would not result in inefficient or unnecessary use of energy. (Less than Significant Impact)**

Conclusion: Development of the proposed land uses would contribute incrementally to the use of energy for development and ongoing maintenance and operations, but would not result in a significant impact on energy resources. **(Less than Significant Impact)**

III. AVAILABILITY OF PUBLIC FACILITIES AND SERVICES

Many public services are provided to the community as a whole, usually from a central location or from a defined set of nodes. The delivery of these services is are financed on a community-wide basis, usually by a city, county, service, or other special district. Usually new development will create an incremental increase in the demand for these services. The amount of the demand will vary widely, depending on both the nature of the development (residential vs. industrial, for instance) and the type of service, as well as on the specific characteristics of the development (such as senior housing vs. family housing). The impact of a particular project on public services will generally be a fiscal impact. By increasing the demand for a service, a project could potentially cause an eventual increase in the cost of providing the service. CEQA does not require an analysis of fiscal impacts.

While not required by CEQA, discussion of fiscal impacts is permitted where the issue may be of concern to the community or decision makers, and where the analysis can contribute to an understanding of the project as a whole. In addition, CEQA does encourage fiscal analysis when financial impacts might result in an impact on the physical environment (such as the construction of a new fire station). The City of San José, therefore, includes a discussion of potential impacts on public services in EIRs prepared for land use and development projects.

Public services of concern for proposed project include police and fire protection. Since the project does not include a residential component, it would not result in increased demand for parks, schools, libraries, community centers, and the like. Therefore, these public services are not discussed below.

1. Existing Setting

Fire Protection

Fire protection service to the project site is provided by the San José Fire Department. The fire stations that would responding to emergency calls (e.g., fires, emergency medical, rescue responses, and other types of emergencies) from the site are listed in Table 19 below along with their approximate response times and “reflex” times. The response time reflects the travel time from the responding fire station to the location of the call. The total reflex time includes call handling time, dispatch time, apparatus turnout, and travel time. These estimated response times only measure the arrival of the emergency response vehicles to the “curb”; they do not consider the set up time required before abatement of an incident can begin nor the time it takes the firefighters to reach any victims. The information in Table 16 was provided by the San José Fire Department, along with the following analysis. It should be noted that all times are estimates based on average conditions and can vary considerably due to weather, time of day, traffic patterns and other variables.

As shown in Table 19, the initial first alarm is moderately deficient, with all three responding companies exceeding the standards by 1.0 to 2.5 minutes. Only the Battalion Chief meets the standard for the initial firefighting force. This trend continues into the full first alarm assignment, with the second truck/USAR 1.0 minute in excess of the standard and the second Battalion Chief 3.0 minutes in excess of the standard, with only the third engine meeting the standard. The overall effect of these deficiencies is that, in the case of serious medical emergency or fire, the injuries or damage may become more severe, especially if any of the assigned responding units are out of service or responding to other emergencies.

TABLE 19
FIRE DEPARTMENT RESPONSE TIMES

Responder/Station No.	Address	Distance from Project (miles)	Projected Travel Time (minutes)	Travel Time Standard (minutes)	Projected Total Reflex Time (minutes)	Total Reflex Time Standard (minutes)
Initial First Alarm						
1 st Engine 12	502 Calero Ave.	2.3	5	4	9	8
2 nd Engine 18	4430 Monterey Rd.	3.3	7.5	6	11.5	10
1 st Truck* 18	4430 Monterey Rd.	3.3	8.5	6	12.5	10
1 st Battalion Chief 13	4380 Pearl Ave.	4.7	9	9	13	13
Full First Alarm						
3 rd Engine 27	6027 San Ignacio	3.5	8	9	12	13
2 nd Truck* 13	4380 Pearl Ave.	4.7	12	11	16	15
2 nd Battalion Chief 1	225 North Market.	10.6	14	11	18	15

* Urban Search and Rescue (USAR) unit.

Source: City of San José Fire Department

It is anticipated that these deficiencies will be mitigated through the public safety bond issue passed by the voters of San José. This bond issue will fund the construction of new Fire Station #35, to be constructed in about five years in the vicinity of Poughkeepsie Road and Musto Avenue, approximately 0.3 miles southwest of the project site. In addition, the existing truck/USAR at Fire Station #18 would be relocated to the new station. The bond issue will also fund the relocation of Fire Station #12 to the vicinity of Cahalan Avenue and Blossom Hill Road, which will become the second due engine company located approximately 2.5 miles west of the project site. This will result in a significant improvement in the full first alarm assignment, with only slight deficiencies in response times for the second truck/USAR and second Battalion Chief.

Police Protection

Police protection services are provided to the site by the City of San José Police Department (SJPd). Officers patrolling the project area are dispatched from police headquarters located at 201 West Mission Street.

The SJPd divides the City into 12 districts, which are further divided into beats. The project site is located within San José Police Department District Y, which covers the southeastern portion the City. Recent crime statistics are aggregated only at the district level, and are available only on a quarterly basis. In the fourth quarter of 2002, the most common crimes reported in District Y, in order of frequency, were auto burglary, vandalism, petty theft, and disturbing the peace. Overall, District Y ranked 4th among the City's 17 police districts in terms of total number of crimes committed in the fourth quarter of 2002.

2. Public Facilities and Services Impact

The proposed project would have a significant impact on public facilities and services if it would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire or police protection.

Fire Protection

As discussed above, most of the projected travel times and total reflex times to the project site exceed the performance goals. However, as discussed above, it is expected that these deficiencies will be corrected over the next five years as a new fire station is constructed on Poughkeepsie Road less than ½ mile from the project site.

The project would result in increased demand for fire protection, but it is not expected that additional personnel, equipment or facilities would be needed as a result of this project. The fire risk posed by the project is very low. The building code requires commercial buildings to be sprinklered which reduces the potential for major fires. In addition, the Fire Department would review project plans to ensure adequacy of emergency access, fire flows, and location of fire hydrants.

- **Since the project would not necessitate the construction of new or expanded fire protection facilities, it would not result in a significant physical impact.**

Police Protection

Although the police administration building is located at the Civic Center, responses to calls would be made by beat officers on patrol. Response times to the project site would depend on the location of the patrol car at the time and the priority of the call in terms of threat to life or property. In general, the types of businesses at the project would result in a relatively low rate of calls for police, although some calls could result from crimes such as shoplifting.

The project would result in an incremental increase in demand for police services, but no additional police personnel, equipment, or facilities are expected to be needed to serve the project specifically. The general increase in demand for police services generated by this and other projects would be mitigated over time by the addition of personnel and equipment, which would be funded through property taxes from this and other projects. In addition, the Police Department would review specific building plans to determine the need for design measures to reduce potential criminal activities.

- **Since the project would not necessitate the construction of new or expanded police facilities, it would not result in a significant physical impact.**

3. Mitigation Measures

- Since the project would not result in significant physical impacts in terms of fire and police protection, no mitigation measures are required or recommended.

Conclusion: The project would not result in significant impacts to public facilities and services.
(Less-than-Significant Impact)

IV. CUMULATIVE IMPACTS

The California Environmental Quality Act (CEQA) Section 21083(b) requires that a project be identified as having a significant impact if its possible effects "...are individually limited but cumulatively considerable." The CEQA Guidelines define a cumulative impact as: "...the change in the environment which results from the incremental impact of the project when added to other closely related past, present and reasonably foreseeable probable future projects." (CEQA Guidelines §15355(b).) The discussion of cumulative impacts is required under CEQA when such impacts may be significant, although the level of discussion may be general in nature.

The following analysis of cumulative impacts considers the effects of other approved and pending projects in south San José which could collectively result in potentially significant impacts when combined with the incremental effects of the project. Approved projects are defined as projects which have received environmental clearance and discretionary approval but have not yet been constructed. Pending projects are defined as projects for which applications for discretionary approval have been filed but have not yet been formally acted upon by the decision makers. (For purposes of this analysis, it is assumed that the pending projects will be approved as proposed.) The approved and pending projects considered in this analysis are listed in Table 20 on the next page. The cumulative effects of City-wide development are addressed in the EIR on the City's 2020 General Plan.

The cumulative effects of these projects, combined with the incremental effects of the proposed project, are discussed below.

1. Cumulative Impacts

Land Use

All of the cumulative projects would be required to conform with the applicable General Plan and zoning provisions, and have or would undergo discretionary review and environmental clearance. These projects have been or would be approved in consideration of their land use compatibility with adjacent uses, with design mitigations incorporated as appropriate to reduce their land use impacts to less-than-significant levels. The remaining incremental land use effects of these projects, combined with the incremental effects of the proposed project, would not be cumulatively considerable.

Geology, Soils, and Seismicity

The approved and pending projects would be subject to seismic hazards and varying degrees of soil instability depending on site-specific conditions. Specific mitigations to be implemented for each project, consisting primarily of adherence to building code requirements and recommendations of geotechnical engineers, would reduce project-specific geologic and soils impacts to less-than-significant levels. The remaining incremental geologic effects of the project, combined with the incremental effects of the approved and pending projects, would not be cumulatively considerable.

TABLE 20
APPROVED AND PENDING PROJECTS

	Project	Location	Land Use	Description
1.	North Coyote Valley	Coyote Valley	Industrial	16,000 jobs
2.	Cisco North Coyote	Santa Teresa (b/s) n. of Bailey Avenue	Industrial	6,600,000 s.f.
3.	Edenvale 1	E/o US 101, n/o Silver Creek Valley Road	Industrial	1,071,557 s.f.
4.	Edenvale 2	W/o 101 bounded by Cottle, Sta Teresa & Bernal	Industrial	3,080,000 s.f.
5.	Edenvale 3-4	E/o US 101, s/o Silver Creek Valley Road	Industrial	3,020,000 s.f.
6.	Edenvale 3-4 Pool	E/o US 101, s/o Silver Creek Valley Road	Industrial	100,000 s.f.
7.	Candescent	Branham (b/s) btwn Hellyer & Coyote Creek	Industrial	330,000 s.f.
8.	Industrial Project	Via Del Oro (n/s), west of San Ignacio	Industrial	170,000 s.f.
9.	Sierra Semiconductor	Hellyer (e/s) & Branham Lane	Industrial	150,000 s.f.
10.	Electroglas	Silver Ck. Valley & Piercy Road (s/e corner)	Industrial	400,000 s.f.
11.	Berg R&D	Hellyer (n/e side), n. of Silver Ck. Valley Rd.	Industrial	73,000 s.f.
12.	Devcon	Santa Teresa & San Ignacio (s/w corner)	Industrial/Office	43,831 s.f.
13.	Creekside Plaza	Hellyer Av. & Branham Lane (n/w corner)	Industrial	65,000 s.f.
14.	Hellyer Vista View	Hellyer (e/s) n. of Branham Lane	Industrial	400,000 s.f.
15.	Stellex	Hellyer (e/s) n. of Branham Lane	Industrial	160,000 s.f.
16.	Hellyer View	Hellyer Ave. & Branham Lane	Industrial	77,180 s.f.
17.	Litton/Legacy	Hellyer (w/s), 1200' n. of Branham exit	Industrial	350,000 s.f.
18.	Industrial Project	Santa Teresa & Martindale (n/e corner)	Industrial	38,208 s.f.
19.	Kaiser Medical Offices	Cottle & Santa Teresa (n/e corner)	Commercial	233,000 s.f.
20.	Palmia	Cottle (w/s), opp. Hospital Parkway	Resid. (SFD & SFA)	310 units
21.	Barbaccia	Cottle & SR 85 (s/w corner)	Resid. (SFD & SFA)	1,188 units
22.	Silver Creek Crossing	Blossom Hill NB off-ramp & US 101 (s/e corner)	Hotel, Retail, Rest.	28,000 s.f.
23.	Maddox & Logan	E/o US 101, n/o Metcalf Road	Residential (SFD)	213 units
24.	Wal-Mart	Blossom Hill & Monterey Rd. (s/e corner)	Retail Expansion	5,120 s.f.
25.	Affordable Housing	Monterey Rd. (e/s) n. of Blossom Hill Road	Resid. (SFD & SFA)	15 units
26.	Mobile Home Park	Monterey Rd. (e/s) n. of Blossom Hill Road	Mobile homes	2 units

Source: City of San José

Flooding, Drainage, and Water Quality

The approved and pending projects considered in this analysis are located in the watershed of either the Guadalupe River or Coyote Creek, both of which have reaches which are subject to flooding under current conditions. Most of the approved and pending projects would alter the drainage patterns on their sites to some degree, and would increase peak runoff rates and volumes through increased impervious surface coverage. Per City requirements, it is expected that each project would provide for adequate site drainage and flood protection, and would incorporate measures that would limit peak runoff such that downstream flooding conditions would not be exacerbated. As such there will be very little, if any, collective increase in peak runoff and downstream flooding potential resulting from development of the approved and pending projects, including the proposed project. Therefore, the incremental flooding and drainage effects of the project, combined with the incremental effects of the other approved and pending projects, would not be cumulatively considerable.

With respect to water quality, the potential erosion resulting from grading and construction for these projects could result in sedimentation of downstream water bodies. However, these projects would all be required by the City to implement erosion control measures. In addition, projects which are over one acre in area would also be required to comply with the NPDES requirements for water quality control as administered by the State Water Resources Control Board. Once in operation, these projects would be required to include stormwater runoff control measures, as appropriate, to minimize the contribution of urban pollutants to the watershed. The implementation of these measures would reduce the potential site-specific water quality impacts of each approved and pending project to less-than-significant levels. While each project would likely still contribute some small increment of non-point source pollution under pre- and post-development conditions, the collective increment of pollutants added to the affected watersheds would not be cumulatively considerable.

Biological Resources

The project site has long been developed with urban uses and does not include sensitive habitat such as riparian and wetland habitat, and also does not include habitat for special-status species. Although there are numerous trees on the site, these consist predominantly of landscape species with limited habitat value. The proposed project will result in the removal of 365 existing trees from the site. While 89 trees will be retained and tree replacement will occur in accordance with City requirements, this will not reduce the impact of the tree removal to less-than-significant levels. Thus the project will result in significant unmitigated impacts to biological resources due to loss of ordinance-sized trees. The approved and pending projects considered in this analysis consist of a variety of developments representing a range of site conditions and potential impacts to biological resources. Some projects comprise development on vacant infill parcels with little or no habitat value while others are located on the urban fringe where significant impacts to habitat would occur. The proposed project contains no special-status habitats or species that would be subject to project impacts and as such would make no contribution to a cumulative impact. In addition, it is expected that the trees to be removed from the other pending and approved projects will be mitigated to less-than-significant levels through tree replacement as required by the City. Therefore, the project would not contribute to a cumulatively considerable adverse effect on biological resources.

Archaeological Resources

There are no known archaeological resources at the project site, although such resources could exist under the ground surface. Likewise, some of the other approved or pending projects, particularly those in proximity to Coyote Creek, could include important archaeological resources that have not been discovered or recorded. Subsurface construction could result in significant impacts to any buried archaeological deposits at those project sites. However, standard archaeological mitigations required by the City of San José for each project will ensure that no significant impacts occur to archaeological resources through requirements for construction monitoring and stipulations for appropriate action to be taken in the event cultural material is encountered. On other project sites, such as north Coyote Valley, site development would include mitigation for disturbance of known archaeological resources. These measures would fully mitigate any potential impacts to archaeological resources at the project-specific levels. As such, there would be no accrual of residual effects to archaeological resources that could collectively become cumulatively considerable.

Historic Resources

The removal of Building 025, an historically important structure, in conjunction with project development would represent a significant unmitigated impact after the implementation of feasible mitigation measures. In addition, there are several potentially historic farmsteads in the Edenvale Redevelopment Project area whose removal may not be feasibly mitigated to less-than-significant levels, and whose loss would therefore also represent significant impacts. Other cumulative projects may also include impacts to historic resources. For example, there may also be other buildings that are or were important to the history of the high technology industry in Santa Clara Valley which may have been or are being proposed for removal. If so, this could also represent a cumulatively considerable impact to historic resources; however, this issue has not been fully researched. Therefore, the combined loss of historic resources at the project site and possibly at other approved and pending project sites could be cumulatively considerable.

Visual Resources

The substantial tree removal proposed for the project will result in a significant visual change to the site and its surroundings, and this impact will not be reduced to less-than-significant levels through project design, landscaping, or tree replacement. Most other projects that represent infill development or redevelopment within the existing urbanized area would not represent substantial alterations in their visual contexts. The planned industrial developments within the undeveloped portions of the Edenvale Redevelopment Project area would convert vacant rural lands to urban uses that would represent a loss of open space. The proposed project does not contain a rural open space area. Therefore, the project would not result in a cumulatively considerable effect on visual resources.

Transportation

The proposed project would result in significant level of service impacts at the northbound and southbound off-ramps at the U.S. 101/Blossom Hill-Silver Creek Valley Road interchange (see Section II. H. *Transportation*). However, under a pending amendment to the Edenvale Area Development Policy, the project would be consistent with the City's Level of Service policy. In addition, it is anticipated that the project will be included in an assessment district through which these impacts would be mitigated to less-than-significant levels through fair-share mitigation fees contributed by the project sponsor toward a programmed capital improvement project that would correct this level of service deficiency. The approved and pending projects in the vicinity, particularly the Edenvale Redevelopment Project, will all contribute incrementally to the level of

service impacts at these locations, and will similarly contribute to the planned mitigation improvements. Other transportation impacts associated with each approved and pending project, including the proposed project, would be fully mitigated on a project-specific or collective basis. Therefore, the combined traffic from the project and the approved and pending projects in the vicinity would not be cumulatively considerable.

Air Quality

The air quality study prepared on the proposed project found that project-related emissions of regional pollutants such as Volatile Organic Compounds, Nitrogen Oxides, and Fine Particulate Matter would exceed the Air District thresholds for these pollutants. Since no feasible measures are available to reduce these emissions to levels below the thresholds, this would represent a significant unavoidable impact of the project. The buildout of the Edenvale Redevelopment Project area, the north Coyote Valley development, and the other larger cumulative projects would each result in emissions exceeding thresholds for regional pollutants, and would collectively represent a significant unavoidable impact. Although the individual emissions from the smaller approved and pending projects would not exceed the threshold for regional emissions, these emissions would not be mitigated on a project-specific basis and would contribute incrementally to regional air quality degradation. Additionally, according to BAAQMD significance criteria, any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact. Therefore, the emissions of regional pollutants from the proposed project, combined with those of the approved and pending projects in the vicinity, would be cumulatively considerable.

The grading and construction activities for each of the approved and pending projects, including the proposed project, would generate dust; however, implementation of the dust suppression measures specified by the Air District would reduce individual project impacts to less-than-significant levels. Considering also the spatial separation between most of the projects, and the unlikelihood that they would be constructed simultaneously, the dust generated by the projects collectively would not be significant. Therefore, the incremental dust generated by the project, combined with the incremental dust generated by the approved and pending projects, would not be cumulatively considerable.

Noise

Some of the approved and pending projects would generate noise from on-site activity (i.e., standby generators, rooftop mechanical equipment, parking lot noise) and most would generate increased traffic noise. The proposed project would not result in significant noise impacts, either from on-site sources or from project-generated traffic. Likewise, some of the smaller infill and redevelopment projects that are approved or pending in the vicinity would not result in significant noise impacts. Additionally, the projects are separated spatially so that it is unlikely that on-site noise generated by one project would combine with the noise from another project to result in a cumulatively significant noise impact. However, the buildout of the Edenvale Redevelopment Project, for example, would result in significant unavoidable noise impacts in residential neighborhoods along major streets providing access to the redevelopment area. The proposed project would contribute little if any traffic along the affected roadways (e.g., Hellyer Road, Bernal Avenue, Silicon Valley Boulevard). Since the project contribution to the noise impacts at these locations would be insignificant, the project would not contribute to noise that is cumulatively considerable.

Hazards and Hazardous Materials

Like the proposed project, some of the approved and pending projects may contain residual contamination from previous land uses on their sites. However, site assessments required for each project site would identify remediation requirements to be implemented prior to construction, which would reduce the individual project impacts to less-than-significant levels. Additionally, the project neither contributes to nor is subject to impacts from the area-wide groundwater contamination beneath the former IBM campus, which is currently undergoing abatement. Therefore, the potential hazardous materials impacts of the proposed project, when combined with the effects of other approved and pending projects in the vicinity, would not be cumulatively considerable.

Utilities and Service Systems

There is sufficient water supply, wastewater collection and treatment capacity, storm drainage capacity, solid waste collection and disposal capacity, and utilities capacity to accommodate the project and the other approved and pending projects. In some cases, such as Edenvale and north Coyote Valley, new or expanded facilities will be needed to adequately serve the proposed developments. Other projects can be developed without the need for new or expanded facilities to maintain adequate service levels. As needed, the approved and pending projects will include infrastructure improvements to avoid impacts to utilities and service systems. Thus the incremental demand for urban services from the project, combined with the incremental demand from other approved and pending projects, would not be cumulatively considerable.

Energy

All of the approved and pending projects, including the proposed project would consume energy in their construction and operation. However, all projects would comply with the energy efficiency requirements of Title 24 of the California Administrative Code. None of the cumulative projects would be likely to consume energy in a wasteful or unnecessary manner. Therefore, the collective effects upon energy resources of the approved and pending projects, including the proposed project, would not be cumulatively considerable.

Public Services

Added demands on fire and police protection services from the proposed project, and other approved and pending projects in the vicinity, would be accommodated at adequate service levels by existing and programmed facilities. Therefore, the combined demand for public services generated by the project and the other approved and pending projects would not be cumulatively considerable.

- **The project would contribute to cumulatively considerable loss of historic resources, and cumulatively considerable degradation of regional air quality. (Significant Cumulative Impact)**

2. Mitigation for Cumulatively Significant Impacts

While the CEQA Guidelines state that the discussion of cumulative impacts “need not provide as great detail as is provided of the effects attributable to the project alone,” an EIR must “examine reasonable options for mitigating or avoiding any significant cumulative effects of a proposed project.” [§15130(b)3]. The following discussion identifies potential mitigation, where it can be identified, for the cumulatively significant impacts identified above.

Mitigation for Cumulative Impacts to Historic Resources

For those cumulative projects which would result in the removal of historically important buildings or features, mitigation in the form of photo-documentation and other measures would be required. However, anything short of on-site preservation would usually not reduce project-specific impacts to less-than-significant levels. Therefore, even with the implementation of feasible mitigations, the cumulative impacts to historic resources would remain significant and unmitigated.

Mitigation for Cumulative Air Quality Impacts

The exceedance of emissions thresholds for regional pollutants is directly related to traffic volumes generated by the project. Because of the nature of the project, feasible mitigation measures to reduce project vehicle trips are limited. Available air quality mitigation strategies for commercial development focus on work trips, which comprise a small fraction of total project trips. The big-box character of the Lowe's project also makes impractical any strategies to have patrons use transit, walk or bicycle to the center. Parking restrictions as a means of reducing vehicle trips are impractical in an area with ample parking.

The following mitigation measures for reduction of regional air quality impact will be considered in conjunction with the project:

- Provide preferential parking for employee carpools, electric and low-emission vehicles.
- Institute the Commute Check program for employees.
- Provide secured bicycle parking and shower facilities for employees.

The implementation of the above measures could reduce project emissions by up to 5 percent. Reductions of more than 35 percent would be needed to reduce project impacts to below the BAAMQD threshold of significance. Therefore, project impacts, after mitigation, would remain significant and unavoidable.

The significant regional air quality impacts from cumulative projects such as the Edenvale Redevelopment Project and the north Coyote Valley industrial project would be partially mitigated by programs to encourage carpooling and use of transit, but these measures would not reduce the impact below a level of significance. The Regional Clean Air Plan anticipates that only regional and regulatory programs to achieve cleaner burning vehicles and fuels, and to reduce automobile usage on a regional scale will result in long-term achievement of air quality standards. Near-term cumulative air quality impacts will remain a significant unavoidable impact.

Conclusion: While the significant project impacts to historic resources and air quality can be partially mitigated, they cannot be reduced to less-than-significant levels, either on a project-specific or cumulative level. Therefore, the project will contribute to significant cumulative impacts to historic resources and air quality. **(Significant Unavoidable Cumulative Impact)**

V. ALTERNATIVES TO THE PROPOSED PROJECT

The CEQA Guidelines, at §15126(d), stipulate that EIRs contain a discussion of alternatives to the proposed action, as follows:

“Describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

With respect to feasibility of alternatives, the Section 15126(d)(5)(A) of Guidelines states the following:

“Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries..., and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site...”

The purpose of this chapter is to ascertain whether there are alternatives of design, scale, land use, or location which would substantially lessen the significant project impacts, even if those alternatives “impede to some degree the attainment of project objectives, or would be more costly” [Section 15126(d)(1)].

The significant unmitigated impacts identified for the proposed project are: loss of historic resources with the proposed removal of historically important IBM Building 025; biotic impacts resulting from tree removal; visual/aesthetic impacts associated with tree removal; and regional air quality impacts resulting from project-generated traffic. The alternatives to be considered under CEQA should be capable of avoiding or substantially lessening one or more of these project impacts.

This chapter describes the alternatives to the project, evaluates the significant environmental impacts associated with each alternative relative to those resulting from the proposed project, and discusses the ability of each alternative to meet the project objectives enumerated in Chapter I of this EIR.

The following alternatives were evaluated:

- A. No Project Alternatives
 - 1. No Development Alternative
 - 2. Economic Development Alternative
- B. Historic Resources Mitigation Alternatives
 - 1. Reuse of Building 025 for Lowe’s Warehouse
 - 2. Project Design Alternative
 - 3. Alternative Uses for Building 025
- C. Tree Removal and Visual Mitigation Alternative
- D. Alternative Project Location

The evaluation of the project alternatives is presented below, followed by a discussion of the environmentally superior alternative, as required by CEQA.

A. NO PROJECT ALTERNATIVES

Section 15126(d)(4) of the CEQA Guidelines states: “The ‘no project’ analysis shall discuss existing conditions, as well as what could be reasonably expected to occur in the foreseeable future if the project were not approved...” (emphasis added). Therefore, this section essentially requires the discussion of two ‘no project’ alternatives consisting of the ‘no build’ alternative and the ‘reasonably foreseeable development’ alternative, where these are not the same scenario. For this project, it is unlikely that the denial of the proposed project would result in no development occurring on the site. Therefore, both the ‘no development’ and the ‘reasonably foreseeable development’ variants of the ‘no project’ alternative are considered in this EIR.

1. No Development Alternative

The No Development or ‘No Action’ Alternative consists of the project site remaining in its current state. The existing buildings, parking area, and trees would remain, but the site would be unused. (Although the existing buildings could be sold or leased for permitted land uses under the IP zoning, it was assumed for purposes of this analysis that the buildings would remain vacant in order to reflect existing conditions. The Economic Development Alternative below considers potential reuse of the project site under the existing zoning.) Since no traffic would be generated under this alternative, there would be no significant impacts to regional air quality as would result from the proposed project. The existing structures would not be removed, so the significant historic resource impacts that would occur with the removal of Building 025 under the proposed project would not occur under the No Development Alternative. The existing trees on the site would remain, so the unmitigated tree removal impacts, and the corresponding visual impacts associated with the proposed project, would be avoided under this alternative. The existing buildings on the site contain substantial amounts of hazardous materials in the form of asbestos-containing building materials, lead-based paint, mercury, and PCBs. However, since these buildings would not be used under this alternative, there would be little or no actual human exposure to these hazardous materials.

The No Development Alternative would avoid the significant air quality, historic, tree removal, and visual impacts associated with the proposed project, and therefore is environmentally superior to the proposed project. However, the No Build Alternative would not achieve any of the project objectives, including the applicant’s objective of establishing a big box retail center on the site, and also the economic development objectives of the City of San José.

2. Economic Development Alternative

The Economic Development Alternative consists of utilization of the site under its current General Plan and zoning designations. If the Lowe’s project is not approved as proposed, the landowner’s representative has indicated that they would continue to market the property for development consistent with the General Plan and zoning. The current Land Use designation on the site is *Industrial Park* with a *Mixed Industrial Overlay*, under which the allowable land uses include a light industrial, research and development, and compatible commercial uses such as big box retail, as well as public and quasi-public uses such as schools and community centers. However, given that the zoning designation for the site is *IP Industrial Park*, any proposal for non-industrial use would require discretionary approval likely consisting of a Conditional Use Permit.

Apart from the big box retail development proposed in the project, the remaining alternative land uses allowed under the General Plan would consist of some form of light industrial, R&D office,

or other research and development use, or public or quasi-public use such as a school or community center (potential uses for Building 025 are discussed in detail in Section B.3 below). For any of these uses, the development configuration would likely consist of low-profile buildings surrounded by landscaped parking lots. Since these land uses would not require high visibility from the street, as would be the case with retail development, the existing dense stands of trees along Cottle Road could be retained and incorporated into the development. This alternative would likely result in reduced tree removal impacts and less-than-significant visual impacts than would occur with the proposed project.

Daily traffic generation associated with any of these land uses would likely be lower than the proposed big box retail development, so it is unlikely that this alternative would exceed BAAQMD thresholds for regional emissions. As such, this alternative would likely avoid the significant regional air quality impacts associated with the proposed project.

The impacts to historic resources under this alternative would depend on whether the existing Building 025 would be incorporated into such a project. If Building 025 could be preserved and reused without substantial adverse impacts to its historic setting, then this alternative would avoid the significant historic impacts associated with the proposed project. If Building 025 could not be feasibly incorporated into this alternative, it would not avoid the significant historic impacts associated with the project.

In summary, the Economic Development Alternative would avoid the significant air quality and visual impacts associated with the proposed project, and could also reduce significant loss of trees, and would avoid significant historic impacts if Building 025 were preserved and reused without adverse affects to its historic setting. As such, this alternative would be environmentally superior to the project as proposed. However, it would not meet the objectives of the project applicant to develop the site for a home improvement warehouse, although it could meet the City's objectives for economic development and jobs at this location.

B. HISTORIC RESOURCES MITIGATION ALTERNATIVES

This section presents and evaluates project alternatives which would be capable of incorporating Building 025 into a development program for the site. These include: 1) Reuse of Building 025 for the proposed Lowe's center; and 2) Project Design Alternative (reconfiguration of the site plan to accommodate Building 025 and the Lowe's center). These alternatives reflect attempts to meet most of the project objectives. A third alternative would consider a range of alternative land uses for which Building 025 may be reusable. Although these scenarios would not meet the applicant's project objectives, they are presented in an effort to provide an exhaustive evaluation of possible alternative uses of the site. Each of these alternatives is addressed in turn below.

1. Reuse of Building 025 for Lowe's Center

This alternative would consist of using the existing facilities in approximately their current configuration. This scenario would reflect retention of Building 025, with its surrounding landscaping and parking lot. In order to retain the building within its historic campus setting, little or no removal of landscaping and no additional construction was assumed. This alternative would attempt to meet the goal of historic preservation while also attempting to meet the applicant's project objective of using the site for a Lowe's center.

By preserving the building within its campus setting, this alternative would avoid the significant impacts to historic resources that would result from the proposed project, as well as the substantial

tree removal and associated visual impacts. In addition, since this alternative would include a much reduced Lowe's warehouse and likely would not include the Phase 2 retail proposed for the project, the corresponding reduction in traffic would reduce regional air emissions to less-than-significant levels. (The total daily trip generation would be about one-fourth that of the proposed project, which would result in project emissions of regional pollutants falling well below the Air District's significance thresholds.) Therefore, the alternative project configuration would result in a less-than-significant impact to regional air quality, and thereby would avoid the significant air quality impacts associated with the project.

The feasibility of reusing Building 025 for the Lowe's center was evaluated by the historical architectural firm Thomas Hardy, AIA. The evaluation report is contained in Appendix E, and its findings with respect to this alternative are summarized below.

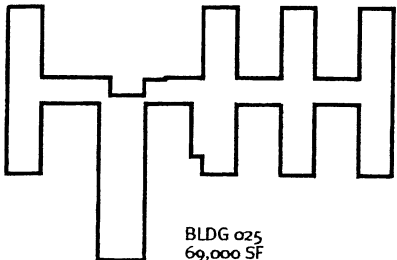
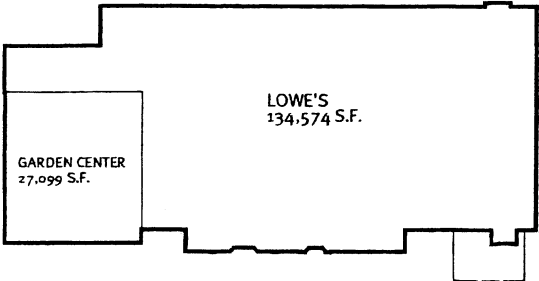
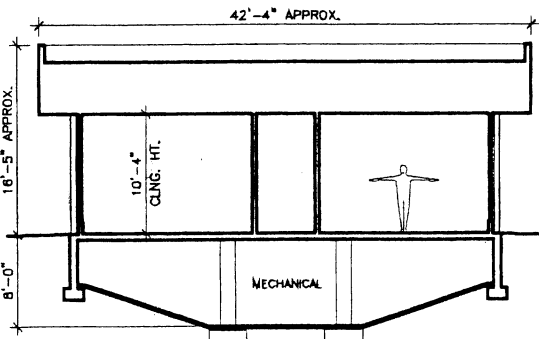
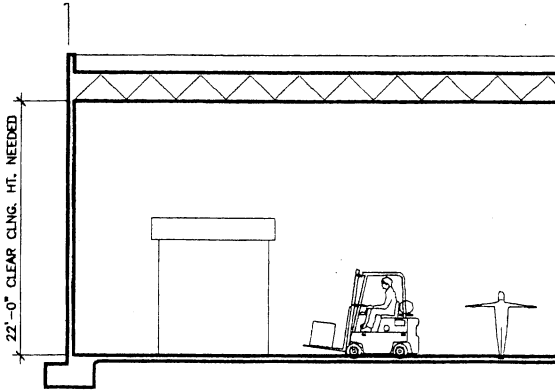
A Lowe's Home Improvement Warehouse requires a large open floor space, tall floor-to-ceiling height, and a rectangular configuration to function most efficiently. The open stock includes large quantities of bulky and heavy building materials, tools, and other products. This inventory is delivered via large truck deliveries to the rear loading docks and then stockpiled and distributed throughout the store with a forklift to racking units that reach as high as 22 feet. The layout must be simple and rectangular in shape for efficient circulation and layout of display and storage units. The recurrent narrow wings and spine configuration of Building 025 is not compatible with these functional needs (see Figure 12).

Lowe's requires a clear vertical height of at least 22 feet to provide the height necessary for efficient stocking and display of their products, resulting in a typical building height of about 28 feet (the remaining six feet consist of roof joists, parapets, and roof slope for drainage). The 10'-4" ceilings in Building 025 would not meet that height requirement.

The scale of a Lowe's retail operation greatly exceeds the available capacity of Building 025. The 69,000 square feet of usable floor area available in Building 025 is substantially less than the 162,000 square feet required by Lowe's to hold their inventory and offer a customer-friendly shopping environment. Lowe's cannot significantly scale-down its program requirements without placing it at a competitive disadvantage with other, similar retail businesses. It would be unable to satisfy the needs of its customers with such a large reduction in inventory and service.

A Lowe's warehouse requires a durable and high strength concrete floor slab (at least 6-inches thick) that will support forklifts, heavy equipment, and large quantities of heavy building products stacked up to 22 feet high. The floor structure of Building 025 is a concrete slab spanning over a mechanical basement level. The floor was designed for light live loads of company personnel and small equipment, and would be structurally inadequate for Lowe's purposes.

In summary, this alternative would avoid the significant unmitigated historic impacts, tree removal impacts, visual impacts, and air quality impacts associated with the proposed project. Thus this alternative would be environmentally superior to the project as proposed. However, this alternative would not meet the applicant's objectives for the project as outlined in Chapter I of this EIR. In

 <p>BLDG 025 69,000 SF</p>	 <p>GARDEN CENTER 27,099 S.F.</p> <p>LOWE'S 134,574 S.F.</p>
<p>SIZE and CONFIGURATION Building 025 contains about 69,000 square feet of ground floor area in a layout of 5 wings connected by a long, narrow spine.</p>	<p>SIZE and CONFIGURATION Lowe's program requires a rectangular box-like building totaling roughly 162,00 square feet.</p>
 <p>42'-4" APPROX.</p> <p>16'-5" APPROX.</p> <p>10'-4" CLNG. HT.</p> <p>8'-0"</p> <p>MECHANICAL</p> <p>BUILDING 025</p>	 <p>22'-0" CLEAR CLNG. HT. NEEDED</p> <p>10'-0"</p> <p>LOWE'S WAREHOUSE</p>
<p>HEIGHT Building 025 has ceiling heights of 10'-4"</p>	<p>HEIGHT Lowe's needs ceiling heights of at least 22' in order to display and maintain a sufficient inventory of building and home improvement tools, materials, and products.</p>

Note: In the four diagrams above, the drawings on the left are shown at the same scale as the respective drawings on the right.

COMPARISON OF BUILDING 025 WITH LOWE'S WAREHOUSE

particular, it would not meet the applicant's project objective of constructing the warehouse configured as a large rectangular space.

2. Project Design Alternative

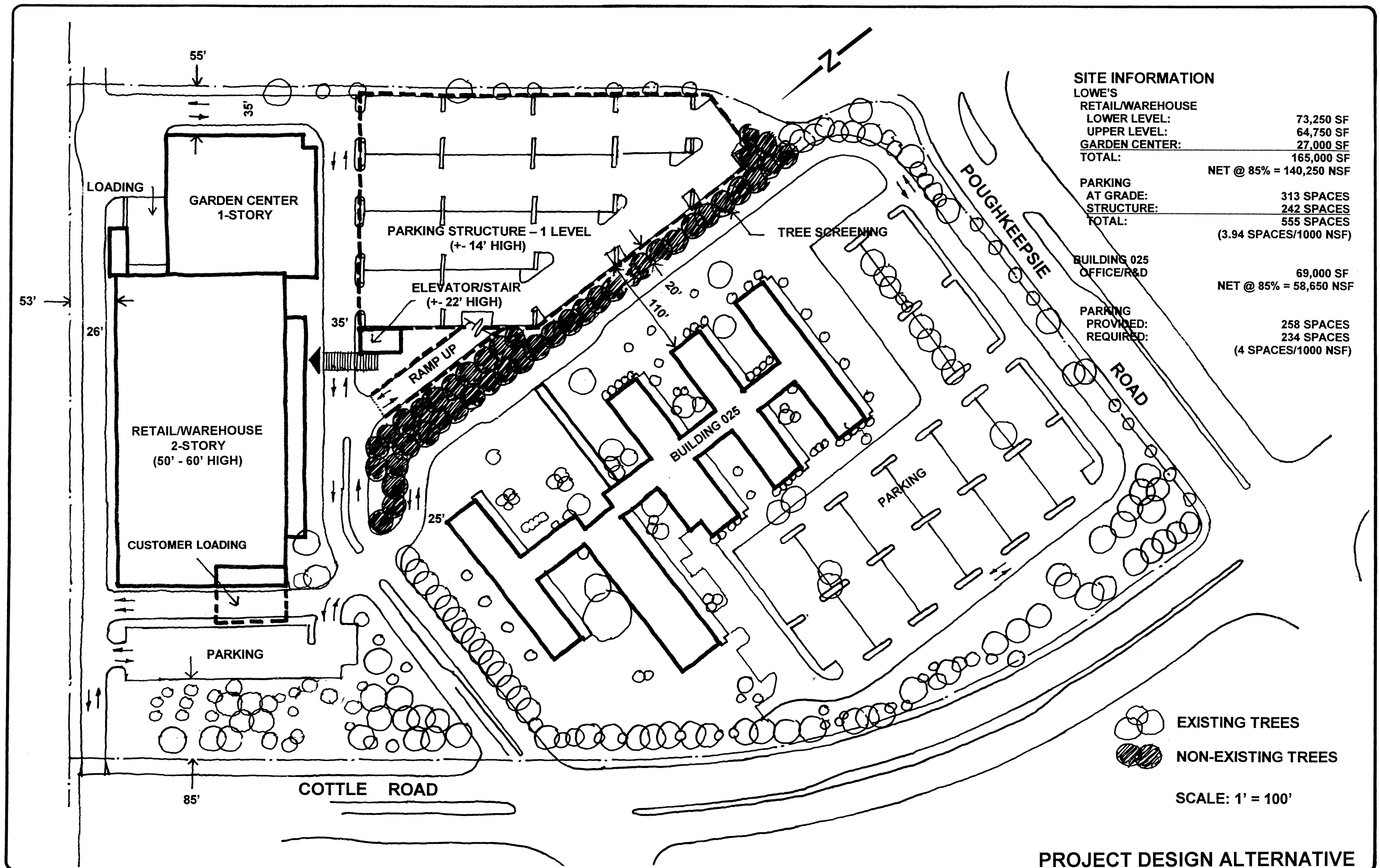
This alternative consists of a reconfigured site plan which would accommodate all of both Building 025 and the proposed Lowe's project, in an effort to substantially meet the project objectives as well as the goal of preserving the historically significant building.

A site plan which represents this alternative is shown in Figure 13. The first objective of the plan is to preserve Building 025 and its immediately surrounding landscaping. The remaining areas in the northern and northeast portions of the site were allocated for the Lowe's warehouse. Due to the space limitations, the warehouse was designed as a two-story structure, with a single-story garden center, and a single-level parking structure over at-grade parking. The alternative site plan reflects the full square footage and parking supply of the Lowe's warehouse as proposed by the applicant, and includes sufficient circulation area for customer vehicles, delivery trucks, and pedestrian movement.

According to the applicant, the height requirement for a two-story warehouse would be about 60 feet, with the parking structure about 14 feet high, and the elevator/stairway shaft for the parking structure rising to about 22 feet. The 60-foot warehouse height would include 22 feet for the ground floor, a 5-foot thick cast-in-place floor for the second level, a maximum of 25.5 feet for the second level (with 3.5 feet of roof slope for drainage), 2.5 feet for the roof joists, and about 5 feet for parapets. A 60-foot warehouse would exceed the General Plan height limit of 50 feet, and therefore would require a General Plan amendment. However, for purposes of this analysis it was assumed that a two-story warehouse could be designed which conforms with the General Plan 50-foot height limit.

It was assumed for purposes of this alternative that Building 025 would be reused as office/R&D. (See subsequent discussion for an evaluation of the feasibility of reusing Building 025 for this and other possible uses.) The existing Buildings 024 and 030 located to the southwest of Building 025, and which have no historic importance, would be removed and replaced with parking area for the office uses in Building 025 (the parking area shown in Figure 13 is adequate to supply parking for Building 025 according to the City of San José parking requirement of 4 spaces per 1,000 net square feet of office/R&D floor area). Primary access to the site would be via Concord Drive which would serve both Lowe's and Building 025. All of the existing landscaping along Cottle Road and many of the existing trees along Concord Drive and Poughkeepsie Road would be preserved (over 300 of the 454 existing trees would be preserved under this alternative). In addition, the alternative site plan includes a dense stand of landscape trees to provide visual screening and separation between the Lowe's facility and Building 025.

In terms of avoiding impacts to the historic resource of Building 025, the alternative site plan would preserve the building and its immediately surrounding landscaping, including almost all of the mature trees along the Cottle Road frontage. Thus this alternative configuration would avoid direct impacts to Building 025, and would retain approximately one-half of the original site, including a substantial portion of its open space setting. However, according to the analysis of this alternative by historical architects Thomas Hardy and Bruce Anderson (contained in Appendix E of this EIR), this alternative would adversely impact the historic integrity of the resource due to some loss of the setting. The close proximity of a new 50-foot high Lowe's warehouse building,



SOURCE: MAURICE P. ABRAHAM, LAND SOLUTIONS

PROJECT DESIGN ALTERNATIVE

FIGURE 13

and a new two-story parking structure along the front side of Building 025 would have a negative affect. Building 025 would be adjacent to a new commercial complex with a more suburban character and feeling. The character of Building 025 as a low, one-story building in its landscape would be changed to one where it shares half the site with two structures (one 50 feet high and the other 14 feet high) and a new row of trees blocking historically open views to the east. This change represents a negative impact on the setting and feeling of the site, changing the relationship between the building and its once open eastern frontage.

It is the professional judgement of Thomas Hardy and Bruce Anderson, based on their working knowledge of the eligibility criteria of the California and National registers, that anything less than full retention of Building 025 and the character-defining open space of its setting would result in an adverse impact on the resource. This is because a substantial part of the significance of Building 025 is its configuration or footprint and its landscape and setting. Changes to the site by the addition of a 160,000 square-foot structure would result in the loss of the resource's integrity, both to its setting and to its expression of the aesthetic of its period of significance. (However, the addition of a parking area in the southwest corner of the site to serve Building 025 under this alternative would not adversely affect the historic resource. This is mainly due to the visually unobtrusive nature of surface parking, and because it would necessitate very little tree removal, and also because it would cover an area that is partially occupied by an existing parking area as well as non-historic Buildings 024 and 030.)

While the City of San José respects the opinion of historic consultants Thomas Hardy and Bruce Anderson that the Project Design Alternative results in an adverse impact (substantial adverse change) to Building 025, the City does not agree with this determination. It is the City's opinion that while construction of the approximately 160,000 square-foot structure would negatively impact Building 025, it would not constitute substantial adverse change as defined by Section 15064.5(b)(1) and (2) of the California Environmental Quality Act Guidelines.

Section 15064.5 "Determining the Significance of Impacts to Archeological and Historical Resources" defines the parameters by which a project may have a significant effect on the environment:

15064.5(b)(1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

15064.5(b)(2) The significance of an historical resource is materially impaired when a project:

(A) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or

(B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

(C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

The City of San José has determined that Building 025 is eligible for the California Register of Historic Resources as documented in Appendix E.1. To be eligible, resources must meet at least one of the four California Register criteria (see Appendix E.1., Page 14) and must retain integrity. As documented in Appendix E.1., Building 025 meets Criteria 1, 2 and 3. With regard to CEQA Guidelines sections 15064.5(b)(2)(A), (B) and (C) above, the City believes Building 025 would continue to qualify for local landmark status as well as the California Register under the Project Design Alternative.

The question of California Register eligibility centers largely on the loss of integrity to Building 025 by adding substantial new construction and eliminating approximately half of the setting where the current parking lot as well as open space is located. As noted on Page 11 of Appendix E. 1., the site's open spaces help define the setting of the building and are a "defining element of the campus design theme..." The setting is an important component of the historic site; however, the City recognizes that properties change over time. According to the California Register, while properties may not retain all of their original characteristics, enough must remain to convey historic identity. The City believes that despite the change to the setting in this alternative, the historic appearance of Building 025 and its setting is still recognizable, and the building is able to convey its historic significance.

Under the Project Design Alternative, most of Building 025's character-defining features remain intact. With this alternative, Building 025 remains in its original location, and the building itself is retained in full without alteration. The building's important orientation to nature and the outdoors, as demonstrated in part by its glass walls and multiple courtyards, is preserved. In addition, about half of the original 18-acre site and the immediate setting of the building are retained as is approximately 65 to 70 percent of the current tree inventory. In summary, given the degree to which the Project Design Alternative preserves Building 025 and its site in a manner that allows the property to continue to convey its historic significance, this alternative avoids significant adverse impacts to historic resources.

The project design alternative would avoid the significant impacts to historic resources and the significant impacts to regional air quality compared to the proposed project. This alternative would also result in substantially less removal of existing on-site trees than the proposed project, thereby reducing the impacts to biotic resources due to loss of trees, which in turn would avoid significant impacts to visual resources. These impacts are discussed in turn below.

With respect to air quality, the overall traffic generated by this alternative would be approximately half that of the proposed project, due to the much lower daily traffic generation rate for office/R&D (at 8.0 trips per 1,000 square feet) compared to retail shopping center (at 120.0 trips per 1,000 square feet) in the proposed project. This reduction in trips would bring project emissions of ozone precursors to well below the Bay Area Air Quality Management District's thresholds of significance for these pollutants (e.g., ROG emissions would be approximately 63 pounds per day, and NOx emissions would be approximately 53 pounds per day, compared to the 80 pounds per day significance threshold applicable to both pollutants). Therefore, the alternative project configuration would result in a less-than-significant impact to regional air quality.

With respect to tree removal, the alternative site plan would retain approximately 320 of the existing 454 trees on the site. Almost all of the trees along the Cottle Road frontage would be retained, with most of the tree removal occurring in the interior areas of the site. With the retention of over 75 percent of the existing trees, and with new mitigation planting incorporated into the project to replace the ordinance-sized trees that are removed, the significant tree removal impacts associated

with the proposed project would be substantially reduced, although not to a less-than-significant level under this alternative.

With respect to visual impacts, this alternative would largely retain the park-like appearance along the edges of the site by avoiding the removal of the dense stand of trees along portions of the project frontage. As such, the significant unmitigated visual impacts associated with such tree removal in the proposed project would be avoided under this alternative.

In summary, the project design alternative would avoid the significant project impacts to historic resources, and would avoid the significant impacts to regional air quality, trees, and visual/aesthetic resources. Therefore, this alternative represents an environmentally superior alternative to the project as proposed. However, as discussed below, this alternative would not meet the applicant's objectives for the project as outlined in Chapter I of this EIR. In particular, this alternative would not meet the applicant's project objective of constructing a single-story warehouse configured as a large rectangular space for maximum efficiency.

From a functional standpoint, the two-story alternative would not meet Lowe's standards for an efficient and convenient store configuration, and would instead involve logistical difficulties and inefficiencies for suppliers and could create an inconvenient shopping environment for customers. To meet the applicant's operational objectives for the project, the project applicant desires the layout of the store to be on a single level, simple and rectangular in shape for efficient circulation and layout of display and storage units. To provide for the convenience of its customers, the applicant desires merchandise to be easy to find and carry. Due to the bulk and mass of materials sold, the two-story alternative could make carrying items between floors cumbersome and inconvenient. In addition, the necessity of parking in a structure would add further difficulty and inconvenience to carrying large items. Since there are home improvement warehouses in the local area which do not present these difficulties, customers could choose the more convenient alternative, placing Lowe's at a competitive disadvantage in the marketplace.

From an economic feasibility perspective, the project design alternative would greatly increase the cost of construction. According to the applicant, the additional cost of providing an adequate structure for a two-story warehouse, as well as the cost of freight elevators and escalators and other infrastructure would roughly double the construction cost of the warehouse. In addition, the cost of providing a parking structure would be about four times that of providing surface parking. Since the construction cost associated with the project design alternative would far exceed the construction cost for the project as proposed, the applicant has indicated that this alternative would not be approved by Lowe's management because it would not provide an adequate return on investment for Lowe's shareholders (Manion, pers. comm.).

Several additional building configurations were considered to avoid project impacts to historic resources, as described below. This analysis does not develop full project alternatives but briefly considers alternative building configurations to the one developed under the Project Design Alternative above. These include alternative configurations for Lowe's; full retention of Building 025 with a Reduced-Scale Lowe's; and partial removal of Building 025 with full-scale Lowe's.

L-Shaped Building with Underground Parking for Lowe's

An alternative configuration consisting of an L-shaped one-story warehouse was also considered as a possible means of reducing the adverse impact to the historic resource. The warehouse would be located in the northeast corner of the site, occupying roughly the same footprint as the

2-story warehouse and parking structure in the project design alternative. In order to lower the profile of the building, parking would be provided underground beneath the warehouse building, and some surface parking would also be provided. This alternative would essentially replace the 50- to 60-foot two-story warehouse and 14-foot high parking structure with a 28-foot high warehouse. As with the project design alternative shown in Figure 13, this configuration could adversely affect the setting of Building 025. The portion of the warehouse directly across from the front of Building 025 would actually be double the height of the parking structure in the project design alternative and thus would result in greater visual intrusion to the setting. In addition, as with a multi-level parking structure, underground parking would be physically infeasible for Lowe's which requires operations to be on one level due to the bulk and mass of materials sold.

Underground Parking for Building 025

Another design option that was considered is one with underground parking beneath Building 025, the theory being that this would make available more land to accommodate the Lowe's project without adversely affecting the historic resource. However, the creation of underground parking beneath the building could negatively impact the historic integrity of the resource because of the loss of original structure, and would be constrained in any case by existing mechanical systems in the basement level. The existing concrete slab floor system and basement mechanical spaces would be destroyed or severely impacted by the construction of underground parking directly beneath Building 025. The resulting need to relocate the utilities and systems currently beneath Building 025 would pose a construction challenge. Moreover, this design option would not be necessary since all of the parking needs for office/R&D use of Building 025 (e.g., 234 spaces) could be provided in the southwest corner of the site without adversely affecting the resource, as discussed above.

Reduced-Scale Lowe's to Accommodate Building 025

In order to meet Lowe's requirements for a single-level operation, while retaining Building 025 in its entirety, the Lowe's center would need to be substantially reduced in size in order to provide adequate surface parking and circulation for both uses. The Lowe's development program includes a standardized building type with approximately 162,000 square feet of floor area. The project applicant has indicated that Lowe's cannot significantly scale down its program requirements without placing it at a competitive disadvantage in the marketplace. In addition, while a reduced-scale Lowe's might avoid direct impacts to the historic resource, adverse effects upon the historic setting could occur. Therefore, this configuration would likely not entirely avoid the significant impact to the historic resource, nor would it meet the applicant's project objective of constructing a 162,000 square-foot warehouse on this site.

Partial Removal of Building 025 with Full-Scale Lowe's

If the Phase 2 retail component were removed from the project, it might be possible to retain the full-scale Lowe's warehouse, as proposed, along with partial retention of Building 025. The removal of a portion of Building 025 would result in a direct impact to the historic resource by adversely altering its character-defining building configuration and setting of the historic resource. This would have a significant impact on its integrity as an historic resource and could render it ineligible for listing on the State and National Registers, and could disqualify it as a Candidate City Landmark. Therefore, any configuration which involves a partial removal of Building 025 would not avoid the significant impacts to the historic resource, and thus would not warrant further consideration under CEQA.

3. Alternative Uses For Building 025

The foregoing discussions carry the implicit assumption that Building 025 could be feasibly reused in the event that it could be physically retained within the project. The following discussion considers the suitability of a range of uses that would be possible in the building. This evaluation considers only the feasibility of using the building for some land use other than the Lowe's center, regardless of whether the alternative land use could meet the project objectives.

The land uses considered were confined to those that are allowed under the current General Plan and zoning designations, which include light industrial, office/research and development, and public and quasi- public uses such as a school, community college, or park/community center. These alternative land uses are discussed in turn below. This discussion does not consider the possibility of adding buildings to the site, although such additions are possible provided they could meet City standards such as minimum parking requirements. However, the construction of additional buildings on the site could have an adverse effect on the historic setting of Building 025.

Light Industrial

Building 025 was not designed for manufacturing or assembly use. According to a representative from IBM, Building 025 is unsuitable for such use because of low clearance heights, low floor loading capacity, inadequate power and HVAC (heating, ventilation, and air conditioning), lack of loading docks, and inappropriate and inflexible building configuration (Nemson, pers. comm.).

Office/R&D

The interior of Building 025 is an office configuration typical of the 1950s, with private offices separated by permanent partition walls extending from floor to ceiling. Current requirements for office space typically include a large open floor plan where individual work areas or cubicles can be created by movable partitions. This provides the flexibility to reconfigure office layouts as needed over time, and also to expand and contract operations with fluctuations in staffing levels. In order to meet these modern office design requirements, the interior of Building 025 would likely need to be remodeled, including the installation of modern telecommunications, heating and cooling, and electrical systems. Along with these functional renovations, it is also likely that other conditions would need to be addressed, such as hazardous building materials to be remediated, and required building code, fire code, ADA, and seismic upgrades (with the latter required if improvement costs exceed \$200,000). Given the cost of making these improvements, the economic rents required would be on par with rents currently available in a new office building (Brand, pers. comm.). However, if Building 025 were renovated as an historic structure, some cost savings would be available through relaxed code requirements under the State Historic Building Code (SHBC), as well as other available incentives (see the report by Thomas Hardy and Bruce Anderson in Appendix E of this EIR for detailed discussion of the SHBC and available incentives and programs.) Under current market conditions, the ability to lease Building 025 for office space would likely depend on whether a potential tenant would be attracted to the building for its intrinsic value, and on whether the building owner would be willing to risk making the needed interior renovations on the assumption that such a tenant can be found.

School/Community College

To investigate the possibility of reusing the site for a school or a community college campus, the Oak Grove School District, the East Side Union High School District, and the San José/Evergreen Community College District were contacted.

The Oak Grove School District representative indicated that the District has no need for or interest in acquiring additional school sites, and in fact has recently closed two existing elementary schools. In addition, he indicated that the Field Act requires that existing buildings be upgraded to meet current seismic and handicap access requirements and that any hazardous building materials be abated. This would add to the cost of bringing the building to an acceptable condition for School District use. Until recently, the building may have been an attractive site for a charter school, but they are now also required to comply with the Field Act (Childers, pers. comm.).

The East Side Union High School District indicated that it just opened a new 260,000 square-foot high school in Evergreen, and has no need for an additional campus at this time. Moreover, the 90,000 square feet of existing space (including Buildings 024, 025, and 030) would be far too small for a modern high school. It could be usable as school administrative offices, but again the Field Act requirements would make this infeasible for the school district (Willet, pers. comm.).

The representative of the Community College District indicated that their building program is confined to the existing two colleges (City College of San José and Evergreen Valley College). The District has no plans for expansion under the current budgetary environment, and long-range plans for the District do not include any intention to establish additional campuses beyond the two in operation (Rodriguez, pers. comm.).

There is a potential that Building 025 could be used as the campus for a private school such as a Montessori school, a Waldorf school, a Challenger school, or a religious school. No information was available as to which private schools might have an interest in occupying Building 025.

It is also possible that a private vocational school may wish to locate a campus at Building 025, although no information was available as to which vocational schools might have an interest in occupying Building 025.

Park/Community Center

The City of San José Department of Parks, Recreation and Neighborhood Services was contacted to investigate the possibility of reusing the site for a public park and/or community center. The parks planner indicated that the Department is always interested in opportunities to obtain new sites for parks and community centers, but it is very difficult for the Department to undertake acquisitions through direct purchase due to funding constraints. He did note that the Department has been very successful in obtaining new parks in South San José through the City's Parkland Dedication Ordinance in conjunction with new residential development. However, since the ordinance does not apply to new commercial development, there would be no requirement that the proposed project include a park component or the payment of fees in lieu of dedication. Given the current tight budget conditions, it would not be feasible for the City to purchase all or part of the site for parkland or community center use (Brown, pers. comm.).

It is also possible that Building 025 may be usable as a private community center or social club, although no information was available as to which organizations might be interested in occupying Building 025.

C. TREE REMOVAL AND VISUAL MITIGATION ALTERNATIVE

The objective of this alternative is to lessen the tree removal proposed in the project to less-than-significant levels and thereby also avoid the significant visual impacts associated with the proposed tree removal. This alternative is based on the proposed project site plan except that it retains all trees along the project frontage that are not planned for physical improvements such as project driveways or bioswales, and retains trees in the project interior that are not dedicated to buildings or to vehicular or pedestrian circulation areas. Thus interior trees whose trunks are located entirely within proposed parking stalls are assumed to be retained under this alternative. (However, portions of driplines of many of these trees extend over the planned circulation areas within the project site.)

Based on the above parameters, an additional 74 trees would be retained under this alternative. Combined with the 89 trees proposed to be retained in place or relocated within the project site, the total tree retention under this alternative would consist of 163 trees of the 454 trees on the site. The additional trees retained under this alternative include 24 ordinance-sized trees and 50 non-ordinance-sized trees. (Figure 14 shows the trees assumed to be retained under this alternative.) Redwood and deodar cedars comprise 55 of the additional trees retained under this alternative, and various ornamentals make up the remainder. At least 71 of the parking stalls in the proposed project would be lost under this alternative.

When combined with the trees proposed for retention in the proposed project plan, most of the existing trees along the project frontage would be retained except at the project driveways. In the wooded area north of Concord Drive, about one-third of the total would be retained. Under this alternative, the project site would retain much of its wooded park-like character, although there would be glimpses of the big box and ancillary retail in the site interior. Since the visual character conveyed by the dense row of mature trees along the site frontages would not be substantially altered, this alternative would not result in a significant visual or aesthetic impact.

From a tree-removal standpoint, 291 existing trees would still be removed under this alternative, including 132 ordinance-sized trees and 159 non-ordinance-sized trees. The removal of the ordinance-sized trees would be mitigated in the long-term through replacement planting pursuant to the City's Tree Removal Permit Ordinance and guidelines, with much of that replacement planting occurring off-site, as in the proposed project. The removal of the 159 non-ordinance-sized trees would be somewhat offset by the planting numerous shrubs and groundcovers in the site interior as proposed in the project landscape plan. Although this alternative would lessen the significant unmitigated tree removal impact associated with the proposed project, it would not reduce that impact to less-than-significant levels in the near-term.

In summary, the number and location of trees retained under this alternative would serve to reduce the significant visual and aesthetic impacts associated with the proposed project tree removal to less-than-significant levels. However, the overall numbers of trees removed under this alternative would not be fully mitigated in the near-term through replacement planting and thus would not reduce the tree removal impacts of the proposed project to less-than-significant levels.

While this alternative is environmentally superior to the proposed project, it was not selected because it does not meet some of the applicant's objectives for the project. The removal of at least 71 parking spaces would reduce Lowe's total parking count from 541 spaces to 470 spaces, which is well below the applicant's objective of 525 spaces for the project, as stated in Chapter I. (Although there are a total of 855 parking spaces proposed for Phases 1 and 2 of the project, the 314 spaces planned to serve the ancillary retail in Phase 2 cannot be reduced without violating the City's parking requirements for those uses. Since there is some flexibility in the number of

parking spaces required for Lowe's, it is assumed that all of the lost parking spaces would come from the 541 stalls allocated to Lowe's.) In addition, the retention of much of the densely-spaced line of trees along the Cottle Road project frontage, as well as retention of a substantial number of mature trees throughout the parking area, would not meet the applicant's project objective of high visibility along a major street frontage.

D. ALTERNATIVE PROJECT LOCATION

This alternative is included to fulfill the requirement of CEQA Guidelines Section 15126(d)2, which requires the identification of an alternative project location which could "feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects." Such an alternative site would ideally have the following characteristics:

- Minimum site area of 12 to 13 acres (to accommodate the proposed Lowe's warehouse);
- Existing General Plan designation for the site allows big box retail use;
- Infrastructure is available to serve the project; and
- Site is located in the southern part of San Jose.

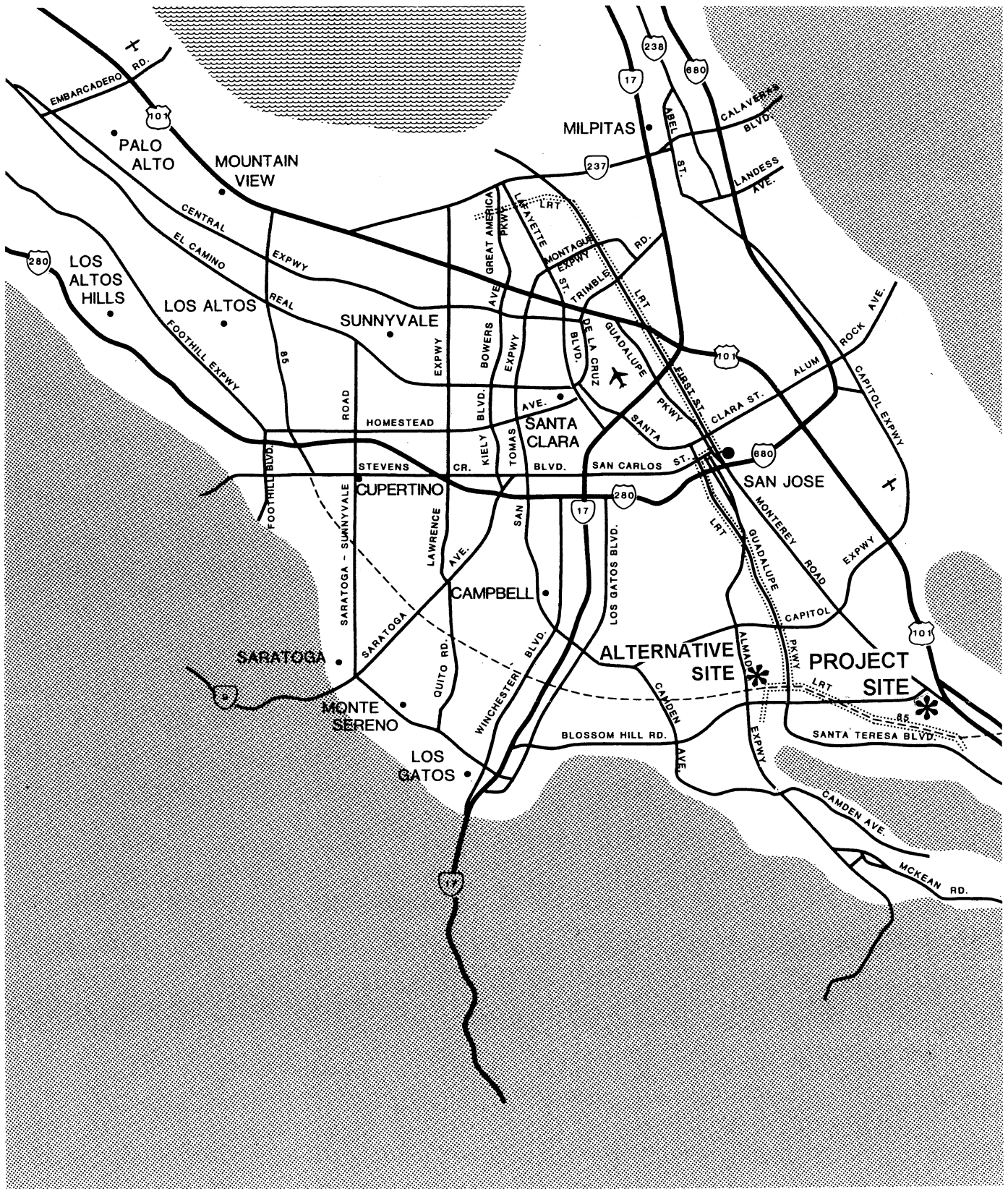
An alternative site which has these characteristics is located in the northeasterly quadrant of State Route 85 and Almaden Expressway (see Figure 15), which is located four miles west of the proposed project site. Known as the Reinhardt property, this approximately 40-acre site consists of fallow agricultural land which is bordered on the northeast by the Guadalupe River and associated percolation ponds. Most of the site has a General Plan designation of General Commercial, with an approximately 10-acre area along the Guadalupe River which is designated "Very High Density Residential (25-40 DU/AC)." Development of the Lowe's project at this site would require rezoning. There is a group of buildings consisting of two houses, several agricultural outbuildings, and a fruit stand in the southwest corner along Almaden Expressway. These buildings are not historically significant. There are approximately 33 trees on the site as well as riparian vegetation associated with the Guadalupe River. Urban services and utilities are available with sufficient capacity to serve development of the site for the planned uses. The site is traversed by the planned alignment of Sanchez Drive. Full development of the site may require completion of this roadway through the site.

The following analysis considers the ability of the alternative site to avoid or substantially lessen the significant impacts associated with development of the project at the proposed site, including significant impacts to historic resources, significant tree removal, significant visual/aesthetic impacts, and significant air quality impacts. This analysis assumes that the proposed 18-acre project would be situated in the portion of the alternative site at the southeast corner of Almaden



TREES RETAINED UNDER ALTERNATIVE C

FIGURE 14




 Not to Scale

ALTERNATIVE PROJECT LOCATION
 FIGURE 15

Expressway and Chynoweth Avenue. It is likely that the project applicant would have to acquire the entire 40-acre alternative site, and that the remaining 22 acres would be developed in accordance with the General Plan. However, to allow for a meaningful comparison of alternatives, these remaining 22 acres are not considered in this analysis.

Impacts to Historic Resources

The buildings on the alternative site are not historically significant, and their removal for the project would not result in a significant impact. Therefore, development of the project at the alternative site would avoid the significant impacts to historic resources which would result from development at the proposed project site.

Tree Removal Impacts

In the worst case, development of the project at the alternative site would result in the removal of approximately 33 existing trees. This would represent substantially less tree removal than would occur with development of the proposed project site, where 365 trees are proposed for removal.

Visual Impacts

Since the alternative site has little intrinsic aesthetic quality and because the lands surrounding the site are urbanized, the development of the proposed project at this site would not result in significant visual or aesthetic impacts. Thus development of the proposed project at the alternative site would avoid the significant visual impacts resulting from development of the project at the proposed site.

Traffic

The 13,000 daily trips generated by the proposed project would be somewhat higher than the approximately 11,000 daily trips forecast for the previously proposed project on this site. However, for purposes of this analysis, the traffic impacts resulting from the proposed project are assumed to be similar to the impacts reported for the previously proposed project on the alternative site. Based on the traffic analysis for that previous project, five intersections affected by project traffic would operate below Level of Service D with existing plus approved trips. The addition of project traffic would not cause any additional intersections to operate below LOS D, but the project would contribute at least a one percent increase in the critical movement volume for at least one intersection. There are no feasible mitigation measures available to reduce this LOS impact to a less-than-significant level. Therefore, development of the proposed project at the alternative site would result in a significant unavoidable traffic impact. This is an impact which is not associated with development of the proposed project site, where project traffic impacts would ultimately be mitigated by improvements planned under the Edenvale Area Development Policy.

Air Quality

The vehicular emissions resulting from project traffic generation would exceed the Air District's thresholds for regional pollutants, which is a significant unavoidable impact of the proposed project. These emissions levels are related to the scale of the project and would occur at any location where the project is proposed. Therefore, the development of the proposed project at the alternative site would not avoid or lessen the significant air quality impacts associated with the project.

In summary, the alternative site at the northeast quadrant of State Route 85 and the Almaden Expressway would avoid or substantially lessen three of the four significant impacts associated with development of the project at the proposed site. The alternative site would avoid or lessen the historic resources impacts, tree removal impacts, and visual impacts that would occur at the proposed project site, but would not avoid the significant air quality impacts resulting from the project. Development of the proposed project at the alternative site would likely result in a significant traffic impact, which is an impact not associated with the proposed project site. Nevertheless, the alternative site would be environmentally superior to the proposed project site; however, the alternative project site would not meet the applicant's objective of locating the project within its defined trade area for southeast San José. The alternative site lies just outside the northwest corner of the defined trade area (see Section *I. D. Project Objectives*), and this site is poorly situated to serve the targeted trade area which extends south to Morgan Hill. Therefore, this alternative site would not meet the applicant's objectives for the project.

E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. Based on the above discussion, the environmentally superior alternative is the No Project - 'No Development' Alternative, because it would completely avoid all of the significant impacts associated with the proposed project. However, Section 15126(d)(4) states that "[i]f the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives."

After the No Project alternative, the next environmentally superior alternative would be the Project Design Alternative because it would avoid or substantially lessen the project's significant historic resource impacts, tree removal impacts, visual impacts, and air quality impacts. (The Economic Development Alternative also qualifies as an environmentally superior alternative, although not to the same degree as the Project Design Alternative.)

However, as discussed above, this alternative would not meet the applicant's objectives for the project. From a functional standpoint, the two-story alternative would not meet Lowe's standards for an efficient and convenient store configuration. The project applicant desires the layout of the store to be on a single level, simple and rectangular in shape for efficient circulation and layout of display and storage units. Due to the bulk and mass of materials sold, the two-story alternative could make carrying items between floors cumbersome and inconvenient. In addition, the necessity of parking in a structure would add further difficulty and inconvenience to carrying large items. Since there are home improvement warehouses in the local area which do not present these difficulties, customers could choose the more convenient alternative, placing Lowe's at a competitive disadvantage in the marketplace.

VI. SIGNIFICANT, UNAVOIDABLE/UNMITIGATED IMPACTS

Section 15126(b) of the CEQA Guidelines requires that EIRs identify “significant effects which cannot be avoided if the proposal is implemented.” This includes any significant impacts which can be mitigated but not reduced to less-than-significant levels.

As discussed throughout Chapter II of this EIR, most of the potential impacts associated with the proposed project can be avoided or reduced to less-than-significant levels through mitigation measures to be implemented in conjunction with the project. However, there remain several significant impacts which cannot be feasibly mitigated to less-than-significant levels. These significant unavoidable impacts of the projects are listed below.

- Significant unmitigated impacts to historic resources;
- Significant unmitigated impacts to biological resources (tree removal);
- Significant unmitigated impacts to visual/aesthetic resources;
- Significant unavoidable impacts to regional air quality;
- Significant unmitigated cumulative impacts to historic resources;
- Significant unavoidable cumulative impacts to regional air quality.

VII. GROWTH-INDUCING IMPACTS

Section 15126(f) of the CEQA Guidelines stipulates that the growth-inducing impact of a project be addressed, as follows: “[d]iscuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may further tax existing community service facilities so consideration must be given to this impact.” The potential for the project to induce growth is discussed below.

Precedent for Further Development

Since the site was already developed for the former IBM facility, the approval of the project would not represent a new commitment of undeveloped land for urban development. Moreover the project would not represent a significant change from one planned land use on the site to another. Thus approval of the project would not establish a precedent for further growth, either by way of opening up undeveloped lands for growth, or by requiring a General Plan amendment which could set an example for similar redesignations elsewhere in the City.

Growth Induced by Increased Infrastructure Capacities

As discussed in Section II. *L. Utilities and Service Systems*, all of the utilities infrastructure required is already in place (e.g., water supply, wastewater collection and treatment, storm drainage, electric power, natural gas, communications), and no increases in capacity are required or planned to serve the project. Therefore, the project would not induce additional growth through increased infrastructure capacities.

Removal of Obstacles to Growth

All of the developable lands adjacent to the project site have been developed, although redevelopment of nearby properties may be possible in the future. However, there are no vacant undeveloped lands in the vicinity of the project site whose development could be stimulated or accelerated by development of the project.

Stimulus for Economic Growth

The retail center would stimulate economic growth through direct employment, as well as indirect growth through demand for goods and services. This could contribute to incremental secondary effects such as increased hiring by suppliers. The center would also generate significant sales tax revenue for the City, enabling expenditures on capital improvement projects that would also stimulate secondary economic activity. During the construction phases, temporary jobs would be created and others supported in the purchase of materials. However, the magnitude of economic activity stimulated by the project is unlikely to result in further development that would in turn result in additional significant environmental impacts.

Population and Housing Growth

Apart from small management team, virtually all of the 100 store employees are expected to be hired from the San José area. Therefore, the project is highly unlikely to result in new housing development that would result in additional significant environmental impacts.

In summary, the proposed project would have a slight growth-inducing effect by way of producing a minor economic stimulus locally. This would occur through direct employment at the retail center, and through secondary demand for employees at local suppliers and service providers. The project could also result in a very slight increase in local housing demand for management staff who may relocate to the area from elsewhere. However, neither the minor economic stimulus nor the very small increase in housing demand is likely to result in additional new development that would result in secondary environmental impacts.

The project would not result in significant growth inducement by way of setting a precedent for similar projects, by creating excess infrastructure capacities, or by removing obstacles to further growth.

VIII. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126(e) of the CEQA Guidelines requires that EIRs identify “significant irreversible environmental changes which would be caused by the proposed project should it be implemented.” Irreversible changes can result from large commitments of non-renewable resources which makes their removal or nonuse thereafter unlikely. Environmental accidents can also result in irreversible damage.

Since the project would utilize an already developed site, it would not result in major irreversible changes such as those associated with the permanent conversion of agricultural lands or other open space to urban uses. Therefore, the project would not result in an irreversible land use change of the site from a non-urban to a developed condition, since that irreversible change has already occurred at the project site with the earlier construction of the IBM facility.

The project would result in some minor irreversible changes such as the consumption of non-renewable building materials and energy resources during the construction phase, and the ongoing consumption of energy for lighting, air conditioning, space and water heating, and for travel to and from the site during the life of the project. These irreversible changes would be somewhat offset by the recycling of existing building materials to be removed from the site, as well as recycling of cardboard, bottles, cans, and paper from the store, and compliance with Title 24 energy-efficiency requirements.

IX. REFERENCES

Basin Research Associates, *Archaeological Evaluation Report, Proposed Lowe's Center on Cottle Road, City of San José, Santa Clara County, California*, January 2003.

Donald Ballanti, *Air Quality Impact Analysis for the Proposed Lowe's Home Improvement Center, South San José*, June 2003.

Harding ESE, *Confirmation Soil Sample Results, Building 025 Area, IBM, San José, California*, May 2002.

Hexagon Transportation Consultants, *Transportation Impact Analysis, Lowe's Home Improvement, South San José*, August 2003.

Illingworth & Rodkin, *Lowe's South San José Environmental Noise Assessment*, August 2003.

Live Oak Associates, *Biological Impact Assessment for the Lowe's Parcel in South San José*, August 2003.

National Safety Council, *Fact Sheet - Asbestos*, 2002.

National Safety Council, *Fact Sheet - Lead*, 2002.

Nolte and Associates, *Hydrology and Drainage Report, Lowe's of South San José*, January 2003.

San José, City of, *San José 2020 General Plan*, August 1994, as amended.

San José, City of, *Draft EIR, Coyote Valley Research Park*, February 2000.

San José, City of, *Draft EIR, Edenvale Redevelopment Project*, March 2000.

San José Police Department, *Crime Statistics for the Fourth Quarter of 2002*, SJPd website, March 11, 2003.

San José Environmental Services Department, *Recycling Achievements*, ESD website, February 24, 2003.

Treadwell and Rollo, *Geotechnical Investigation, Lowe's Homes Centers, Incorporated., South San José, California*, September 2002.

Treadwell and Rollo, *Phase I Environmental Site Assessment, IBM Parcel A, South San José, California*, August 2002.

Thomas Rex Hardy, AIA, *Evaluation of Reuse of All or Part of IBM Building 025 for the Proposed Lowe's Project, San Jose, California*, July 2003.

Urban Programmers, *Historical Report and Evaluation for the Subdivision and Removal of Unused Facilities on 18 acres at the IBM Corporation Cottle Road Campus, San José, California*, July 2003.

Wetland Research Associates, *Lowe's San José Tree Survey*, January 2003.

Wildlife Research Associates, *Results of Bat Surveys, Lowe's South San José Project*, July 2003.

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